

October 7, 2019

The Honorable Tim Walz,

We, the undersigned XX Minnesota organizations, request that you take a strong stand in opposition to the new federal public charge rule changes set to go into effect October 15. The final rule creates new barriers to citizenship for Minnesota's immigrant communities, and creates harmful consequences for themselves, their families, and Minnesota's communities more broadly.

We are grateful that Minnesota's Attorney General Keith Ellison has joined with other states to delay implementation of the public charge rule changes. We respectfully request your administration do all in its power to limit the effects of these changes to our communities.

We are certain that the public charge rule changes to health care, housing, food support, and other services will harm our children, families, schools, employers, and our health care systems and count governments. Public benefits are intended to help people struggling to make ends meet, and the consequences of denying these services to eligible people are severe. While eligibility requirements to access these public benefits have not changed, the use of these supports will be held against legal immigrants when they apply for lawful permanent status or other changes to their immigration status.

The confusion and fear surrounding these rule changes have already caused many of our immigrant neighbors to refuse assistance or to leave programs for which they are eligible. These changes will have a cascading effect that will reach into all communities, regardless of citizenship status.

- Fewer children and parents will be immunized for measles and other preventable illnesses, placing the health of immune-compromised people at risk. Measles is on the rise, and the Hepatitis A outbreak will be exacerbated.
- Nursing homes, group homes and the health care workforce rely on immigrant populations for this important work. This public charge rule change could likely lead to greater labor shortages and risks to the vulnerable populations they care for.
- More children, many of them citizens, will lose housing and other critical supports due to the fear and confusion their parents are experiencing from these threats. Homelessness and housing instability decreases educational attainment and workforce readiness.
- Children will go without food. Due to fear and confusion, children may not receive free or reduced cost school lunches for which they may be eligible. Usage of WIC has already declined, even though it has been excluded from the rule.

- Workers will forgo medical treatment until their condition is severe and they are seen in the emergency room, leading to sicker patients and greater uncompensated care cases for our hospitals. Research consistently shows that access to preventative care has short-term and long-term cost savings.
- Our safety net providers – hospitals, mental health clinics, county services – will see a decline in participation due to coverage losses, fear and confusion, resulting in destabilized provider systems.
- Many immigrant families are of mixed status, further complicating their situations. There will be enormous administrative barriers for families, counties and providers to determine eligibility scenarios for every family member, when systems are not set up to decipher citizenship status. Fixing this problem will be an unfunded federal mandate.

We respectfully request that your administration take a broad and bold approach to ensure our Minnesota immigrant neighbors continue to have access to benefits when they need them, without fear. Below are our recommendations:

Service Delivery Changes - Considering that public benefits programs are experiencing lower enrollment numbers due to fear of public charge, there is opportunity to change service delivery or reimbursements to categorical eligibility, and eliminate requirements for immigrants to sign up for certain programs. Examples include:

- Food: Make free lunches available to all children at all public schools (or at certain schools meeting some set of criteria) so that children don't have to individually sign up. Increase assistance for food shelves that does not require people to sign up for assistance.
- Healthcare: Prepare for additional usage of emergency rooms in hospitals across the state, and support health clinics to be able to provide more assistance to immigrant populations.
- Housing assistance: Partner with and/or increase funding to nonprofits to expand availability of housing units not tied to federal housing assistance.

Data privacy - The National Immigrant Law Center reports "Information about applicants and beneficiaries can only be used for administering benefits and cannot be shared for the enforcement of immigration laws." Ensure benefits programs protect immigrant privacy.

- Review policies and practices for consistency with rules that govern when public benefits programs can share information with immigration officials.
- Ensure Minnesota's county and tribal workers do not share information about an individual's immigration status or use of benefits if contacted by immigration officials. In addition, frontline benefit-enrollment staff should be trained on public charge rules and provided with information on legal assistance hotlines and legal service providers to direct people who need counsel.
- Partner with immigrant-serving organizations to provide accurate information to immigrant families regarding their rights to privacy and confidentiality.

- Distribute clear, consistent guidance to county and human services workers on what information is necessary to request from families and where to direct families for guidance.

Legal services - Ensure that people impacted or potentially impacted by new public charge rules have access to accurate legal guidance.

- Expand funding for legal services - use state dollars to defend immigrants from deportation and give advice regarding the public charge. For example, Hennepin County has a legal defense fund, this is a possible model to take statewide.
- Build pro bono legal networks. For example, Illinois has a model where they provide immigrant-serving organizations with training and a screening tool for people who may be subject to the public charge. Once identified, immigrants are referred to a hotline to receive individualized advice to help them make a decision regarding their public benefits usage.

Monitor Program Participation - Require agencies to collect data on program participation.

- DHS is currently tracking and is showing a 12 percent decrease in participation in MFIP, DWP, and SNAP among all immigrants. DACA participants are pulling out of their MinnesotaCare coverage at higher rates than normal, even though MinnesotaCare is not included in the public charge.
- Understanding the data about who is impacted is critical to understanding the broad implications of the proposal and targeting support to specific populations.

Governor Walz, the federal government's final public charge rule is unjust and short-sighted, and creates impossible choices for families. People who are eligible for support now may be punished later, and may lose their chance to pursue a path to citizenship. Our organizations urge you to oppose this rule and to give these families hope by improving fair access to crucial supports, strengthening all of Minnesota's communities.

Sincerely,