



December 6, 2018

Samantha Deshombres  
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  
Proposed Rule on Inadmissibility on Public Charge Grounds

Dear Ms. Deshombres:

On behalf of 1,000 Days, I write to voice our strong opposition to the U.S. Department of Homeland Security's proposed rule on public charge determinations. If finalized, the proposed rule will put the well-being of millions of mothers, babies and toddlers at risk and has the potential to inflict lifelong damage on young children.

As a non-profit organization, 1,000 Days leads the fight to ensure that mothers, babies and toddlers in the U.S. and around the world have the nutrition and support they need for a healthy first 1,000 days. The first 1,000 days of a child's life—beginning in pregnancy through to their 2<sup>nd</sup> birthday—is a critical window of time when children's brains develop and the foundation for their lifelong health is built. There is strong scientific consensus showing that good nutrition and quality healthcare during pregnancy and early childhood plays a foundational role in enabling children to grow, learn and thrive. When mothers and children do not get the nutrition, security or care they need during the first 1,000 days, the consequences can be devastating: children fail to thrive, their cognitive, social and emotional development can become stunted and they are more likely to suffer a lifetime of health problems and learning difficulties. The damage done can be irreversible and can impose an enormous cost to societies.

Basic nutrition and health services for women and young children—regardless of immigration status—must be protected. Programs such as Medicaid and the Supplemental Nutrition Assistance Program (SNAP) are critical to ensuring that babies get the care and nutrition they need for a strong start to life. Without the healthcare and nutrition assistance that these programs provide, babies are more likely to be born too soon, too small or too sick. In turn, this has implications for children's longer-term health and their ability to learn and do well in school—the costs of which are often borne by our healthcare and education systems.

The proposed public charge rule will turn families away from these critical programs and has the potential to endanger the health and well-being of young children. By making the use, or potential use, of health, nutrition and other core support programs a disqualifying factor during the citizenship process, this proposed rule will reverse long-standing policy, the effect of which will be disastrous, especially for women, babies and toddlers. Millions of legally-present immigrant



families – including those with children who are U.S. citizens – will forgo the critical medical, nutrition and housing programs they need to keep their families safe, healthy and together.

The proposed expansion of the current public charge standards represents a particularly sinister threat to young children, many of whom are U.S. citizens. Of the 5.75 million children under age six living in the United States with at least one foreign-born parent, 93.5% were born in the United States and are thus citizens.<sup>1</sup> These young children are eligible for and rely on programs for their health and nutrition needs. However, they could lose their healthcare coverage or food benefits due to their parents' fear that any interaction with the federal government could result in a negative consequence to their legal status. This fear and confusion may also lead families to withdraw from public assistance programs that are *not* included in the proposed rule, deepening the health and public health impacts of the rule.

Over eight million U.S. *citizen* children with an immigrant parent have Medicaid or CHIP coverage.<sup>2</sup> Children receive essential, child-specific, health and behavioral health services through Medicaid that would not otherwise be available. Children with Medicaid tend to do better in school, miss fewer days due to illness or injury and have a higher likelihood of graduating from high school and college. Studies have also shown that, on average, people enrolled in Medicaid as children fare better as adults by having better health, having fewer hospitalizations and emergency room visits, earning more money and paying more taxes.<sup>3</sup> In addition, Medicaid provides vital prenatal services for pregnant women, covers delivery costs to ensure safe birth outcomes and offers postpartum support for breastfeeding mothers. Medicaid is recognized as an essential provider of maternal and infant care to ensure that families have access vital healthcare services – especially during pregnancy and childbirth. If the rule is finalized, these families will forgo critical prenatal appointments, risking poorer birth outcomes for both mother and child.

Likewise, over 2.5 million U.S. citizen children with an immigrant parent rely on SNAP benefits to provide full meals at home.<sup>4</sup> SNAP is a critical lifeline for pregnant women and families with young children. The program is instrumental in ensuring that families get the nutrition that is vital to their children's healthy growth and development. This proposed rule will put young children and their families at risk of hunger and malnutrition. Food insecurity and poor nutrition during the first 1,000 days is particularly toxic to young children as it can compromise the normal development of their brains, increasing the risk of birth defects, developmental delays and learning disabilities. There is clear evidence that shows that hunger and food insecurity are associated with some of the most

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<sup>1</sup> Department of Homeland Security, *Proposed Rule: Inadmissibility on Public Charge Grounds*, 83 Fed. Reg. 51,114, 51,277 (Oct. 10, 2018).

<sup>2</sup> Kaiser Family Foundation, "Nearly 20 Million Children Live in Immigrant Families that Could Be Affected by Evolving Immigration Policies" (Apr. 18, 2018), <https://www.kff.org/disparities-policy/issue-brief/nearly-20-million-children-live-in-immigrant-families-that-could-be-affected-by-evolving-immigration-policies/>.

<sup>3</sup> Danilo Trisi and Guillermo Herrera, "Administration Actions Against Immigrant Families Harming Children Through Increased Fear, Loss of Needed Assistance", *Center on Budget and Policy Priorities*, May 15, 2018, <https://www.cbpp.org/research/poverty-and-inequality/administration-actions-against-immigrant-families-harming-children>

<sup>4</sup> National Center for Children in Poverty, "SNAP Take-up Among Immigrant Families with Children," 7 (Mar. 2011), [http://www.nccp.org/publications/pdf/text\\_1002.pdf](http://www.nccp.org/publications/pdf/text_1002.pdf).



common and costly health problems in the U.S., including diabetes, heart disease, obesity, hypertension, chronic kidney disease and depression.

It is striking that the Department, itself, is clear about the likely consequences of the proposed public charge rule: *“disenrollment or foregoing enrollment in public benefits program by [people] otherwise eligible for these programs could lead to: Worse health outcomes, including increased prevalence of obesity and malnutrition, especially for pregnant or breastfeeding women, infants, or children.”*<sup>5</sup> That the Department would move forward with the proposed rule flies in the face of logic.

It also flies in the face of American values. Every child in America—regardless of immigration status—should have the opportunity to realize his or her potential. Moreover, if the proposed public charge rule is finalized, millions of families will be faced with a choice that no one should have to make: either keep their children healthy and nourished while risking being torn apart, or forgo healthcare and food in an effort to keep their family together.

The scientific, economic and moral case against this proposed rule is strong. I urge you to rescind this ill-conceived proposal and instead focus on policies that support the health and well-being of young children and their families and that will make our country stronger.

Sincerely,

Lucy M. Sullivan  
Executive Director  
1,000 Days

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<sup>5</sup> Department of Homeland Security, *Proposed Rule: Inadmissibility on Public Charge Grounds*, 83 Fed. Reg. 51,114, 51,277 (Oct. 10, 2018).