

MOTION BY SUPERVISORS HILDA L. SOLIS AND
SHEILA KUEHL

October 1, 2019

**Los Angeles County to Join Legal Opposition to the Final Rule on Public Charge
Inadmissibility**

Under current federal law, immigration authorities decide whether someone is deemed a public charge when an applicant applies for a lawful permanent resident card (“green card”) and an individual seeks to enter the United States on certain visas. For those who seek to obtain a green card, only two public benefits are currently considered in making this determination: cash assistance and long-term institutional care. However, on August 14, 2019, the U.S. Department of Homeland Security published its Final Rule on Public Charge Inadmissibility (Final Rule), which changed the definition of public charge and expanded the types of benefits considered under the public charge test to include non-cash benefits. Per the Final Rule, people who are applying for a green card, or applying to extend their stay or change between visas could be denied status as lawful permanent residents, entry into the United States, or permission to remain if they have received certain public benefits, such as health care (e.g. Medi-Cal), housing (e.g. Section

MOTION

SOLIS _____

RIDLEY-THOMAS _____

KUEHL _____

BARGER _____

HAHN _____

8 housing subsidies), or nutrition assistance (e.g. CalFresh), among other things. The Final Rule will take effect on October 15, 2019, unless a lawsuit prevents or delays its implementation.

The Federal Administration's announcement and publication of the Final Rule has perpetuated an environment of confusion and fear for immigrants. To date, it has already deterred families from seeking basic assistance like food, housing, and healthcare benefits for which they are eligible and would affect many more if implemented. The Migration Policy Institute estimates that the chilling effect created by the new rule "could cause a significant share of the nearly 23 million noncitizens and U.S. citizens in immigrant families using public benefits to disenroll." According to the UCLA Center for Health Policy Research (UCLA), 7 in 10 of the Californians expected to drop out of public assistance programs would be children. UCLA's analysis also found that implementation of the Final Rule could lead to California losing up to \$1.67 billion in federal benefits and almost 18,000 jobs. UCLA projects that in Los Angeles County alone, 283,000 people would disenroll from Cal-Fresh and 708,000 would withdraw from Medi-Cal.

If the Final Rule were to go into effect, it would have a devastating impact on LA County's most vulnerable residents and pose a significant threat to the public health and well-being of all LA County residents. With an immigrant population of 3.5 million, LA County should join litigation to defeat the Final Rule.

WE, THEREFORE, MOVE that the Board of Supervisors direct County Counsel to file and/or join as plaintiff or as amicus in litigation opposing the Department of Homeland Security's Final Rule on Inadmissibility on Public Charge Grounds published in the Federal Register on August 14, 2019 (Docket No. USCIS-2010-0012), as deemed

appropriate by County Counsel.

#

HLS: jv