

MOTION BY SUPERVISORS HILDA L. SOLIS AND
CHAIR SHEILA KUEHL

October 2, 2018

Opposing The Proposed Public Charge Rule

On September 22, 2018, in the latest attack on our country’s immigrant population, the Trump Administration announced a proposed change to public charge determinations that will define "public charge" and expand the definition of public benefits. A “public charge” is someone who is likely to be dependent on the government for support, as demonstrated by the receipt of cash benefits or institutionalization for long-term care at government expense. Current guidelines do not allow federal officials to consider the use of non-cash benefits, such as nutrition assistance, housing subsidies, or healthcare programs such as Medicaid, in public charge assessments. However, the proposed rule expands the definition of “public benefits” to include non-cash benefits, which could prevent an individual from adjusting their immigration status. This would have a devastating impact on the well-being of children and families in Los Angeles County who lawfully receive public benefits.

In Los Angeles County, 3.5 million residents are immigrants, 58% of children have at least one immigrant parent, and 44% of households are headed by an

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immigrant. Immigrants make significant contributions to our local and national economies. In fact, immigrant workers contribute nearly \$300 billion to Los Angeles County's Gross Domestic Product. In 2014, immigrants in Los Angeles County paid \$17.3 billion in federal taxes, which help fund government programs. Yet, even before the proposed rule was announced, many immigrants were already wary of accessing services provided by the County, fearing that using such programs and sharing their information could lead to immigration enforcement. The proposed rule will make that fear a reality. The proposed rule will also force families in Los Angeles County to make the difficult choice between obtaining a green card and taking care of their families by putting food on the table, taking their sick child to the doctor, or applying for a housing subsidy. Avoiding these services could compromise the health, well-being and safety of all Los Angeles County residents.

Los Angeles County provides the ultimate safety net for children and families, and we must take action and do everything possible to oppose and stop the proposed rule from being enacted. The proposed rule will have a chilling effect on enrollment in essential public benefits, resulting in drastic, negative impacts on the health, safety, and well-being of Los Angeles County residents. We have a moral and civic responsibility to every one of our residents, regardless of immigration status, to deliver important public services and benefits that improve their quality of life.

WE THEREFORE MOVE that the Board of Supervisors:

1. Direct the Chief Executive Officer (CEO) to send a five-signature letter to the Secretary of the Department of Homeland Security, the Senate and House Leadership, and the Los Angeles County Congressional Delegation to declare

- the Board's opposition to the proposed rule to change public charge determinations and express the significant harm that it would cause to Los Angeles County and its residents.
2. Direct County Counsel, in coordination with the Office of Immigrant Affairs, to draft a comprehensive County response opposing the proposed rule, to be submitted during the public comment period once the rule is published in the Federal Register.
 3. Direct the Office of Immigrant Affairs to collaborate with community-based organizations, the Los Angeles County Office of Education, affected Departments, and other relevant stakeholders on public education and outreach, utilizing social media as well as other mediums, to educate immigrant communities about available County services and to direct individuals to resources, such as immigration advocates and legal clinics, that could advise immigrants about the potential impacts of the proposed rule on their individual situations.
 4. Direct CEO Countywide Communications, in consultation with the Office of Immigrant Affairs, County Counsel, the Los Angeles County Office of Education, and impacted County Departments, to design and execute a comprehensive internal and external communications strategy with respect to the proposed rule. The internal strategy should be unique to each department and consist of line-staff training to achieve department-wide messaging consistency. The external strategy should be multilingual and culturally competent, consisting of a public information and outreach

campaign to inform individuals about the availability of County services and encouraging continued access and enrollment in public benefit programs offered by the County.

5. Instruct County Counsel to analyze the proposed rule and to monitor any legal action aimed at challenging the proposed rule from taking effect and present recommendations to the Board to file and/or join in as amicus or as plaintiff in litigation, as deemed appropriate by County Counsel.
6. Direct the CEO, in consultation with County Counsel, to send a five-signature letter from the Board to California Attorney General Xavier Becerra expressing support for the State of California's continued efforts to protect the State's residents, regardless of immigration status, by taking any and all necessary action challenging the proposed rule.

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