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**Gale A. Brewer, Borough President**

**Hon. Gale A. Brewer, Manhattan Borough President**  
**Comments on U.S. Department of Homeland Security Proposed Rule Change on**  
**Inadmissibility on Public Charge Grounds**  
**DHS Docket No. USCIS-2010-0012**  
**December 10, 2018**

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My name is Gale A. Brewer and I am the Manhattan Borough President. I write to express my opposition to the proposed rule change.

New York City and our country have always grown stronger, wealthier, and more secure through the contributions of generations of immigrants and their families.

Let me speak plainly: the proposed rule seeks to punish lawful immigrants who are on the path to citizenship for using publicly funded services that the government has made freely available to them for many years.

The proposed rule represents an effort by the government to harm individuals and families applying for permanent residence. The rhetoric surrounding this proposal has created confusion and fear even amongst people who would not actually have to stand for a public charge test. This proposed policy solves no problems, but it is creating new ones.

A recent study by New York City governmental agencies estimates the population who would be impacted by the proposed rule change is 304,000 low- and middle-income New Yorkers, including U.S. citizens who could be discouraged from participating in public programs simply because they live with a non-citizen and green card holders who could be similarly discouraged because they are non-citizens themselves. This includes an estimated 72,000 U.S.-citizen children, 30,000 seniors, and 29,000 individuals with disabilities.

The Supplemental Nutrition Assistance Program (SNAP) is essential to reducing hunger and strengthening access to healthy and nutritious food. It is also a critical economic development program for local food retailers and our nation's farmers.

When small businesses lose out on dollars from SNAP and other programs – and when those in need are discouraged from seeking help from emergency food institutions, hospitals, health providers, and other community organizations, our communities are harmed. The parent who cannot access SNAP benefits will not be able to shop at the local store, and the patient who

cannot access Medicaid or subsidized health insurance to see a doctor for preventive care will end up in an emergency room.

It is a terrible policy to weaponize public programs like SNAP and Medicaid by punishing legal residents who have neither committed a crime nor violated any rule governing their residency in the United States.

I will focus my remaining comments on the dramatic impact the proposed rule will have on hunger and public health within our New York City and the borough I represent.

The Food Bank for New York City is the city's largest hunger-relief institution and the organizer of a stellar network of emergency food pantries and soup kitchens throughout the five boroughs. The Food Bank found 14% of Manhattan's population participated in SNAP, and a recent study by the Food Research & Action Center and AARP identified 22.2% of the borough's senior households participating in SNAP. The Food Bank estimates that SNAP provides an average benefit of \$146 per person, enough for about 39 meals every month. In 2017, SNAP benefits translated into over \$5 billion of economic activity in the City of New York.

City government agencies estimate there are approximately 220,000 non-citizen recipients of SNAP, cash assistance, or both in New York City and 54,000 non-citizen recipients of Supplemental Security Income and the state supplement (SSI/SSP) in New York City.

In the proposed rules, DHS includes SNAP as part of the public charge test "...because the program is among the largest Federal expenditures for low-income people, and because receipt of SNAP benefits indicates a lack of self-sufficiency in satisfying a basic living need, i.e., food and nutrition." This formulation is particularly cynical because SNAP is only supplemental. Recipients typically utilize SNAP only to meet a "meal gap" due to a temporary shortfall in their own resources, which would otherwise force them to go to emergency food pantries. These pantries, which provide an indispensable service – often staffed by volunteers – cannot fill the need gap for those who either dis-enroll or choose to not enroll in SNAP for fear of reprisal.

The proposed rule will also negatively impact business owners who participate as SNAP retailers. The city agencies' study cited above found that if 20 percent of New York City's non-citizen recipients were to withdraw from public benefits programs, they and those on their benefits case load would suffer an annual loss of \$235 million in benefits. This 20 percent withdrawal among the non-citizens receiving SNAP, cash assistance, or SSI/SSP would lead to a larger loss for the city economy of approximately \$420 million annually.

According to new analysis by New York City Health + Hospitals, based on insurance coverage (Medicaid, etc), data on the uninsured, and census figures, the proposed changes would bring a \$362 million impact on the city's public health system in just the first year – effecting approximately 350,000 patients. The analysis also estimates that 62,000 patients could abandon Medicaid and other insurance and more than a million patient visits could be skipped. By discouraging patients from seeking preventative or pro-active health management, the city could see a negative impact on health outcomes including: increased spread of flu and tuberculosis, more serious complications in pregnancy and birth, increased reliance on emergency care, and

expensive interventions for conditions that could have been more effectively and efficiently managed with earlier primary care services. These increases in uncompensated care and shifting usage would lead to a funding gap that would cripple a network of providers and institutions that are at the heart of our city's public health system.

I strongly encourage the federal government and Department of Homeland Security to withdraw these ill-considered, unnecessary, and counterproductive changes to the public charge determination.