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December 9, 2018

**SUBMITTED TO:**

Ms. Samantha Deshommès  
Chief, Regulatory Coordination Division  
Office of Policy and Strategy  
U.S. Citizenship and Immigration Services  
U.S. Department of Homeland Security  
20 Massachusetts Avenue NW  
Washington, DC 20529-2140

**Re: Comments in Response to Proposed Changes to Public Charge Ground of Inadmissibility  
DHS Docket No.: USCIS-2010-0012**

Dear Ms. Samantha Deshommès/U.S. Citizenship and Immigration Services:

On behalf of Asian Services in Action, Inc. (ASIA) and the immigrant community served by ASIA, we strongly oppose the proposed changes to the public charge ground of inadmissibility. The proposed changes would adversely affect Asians and Pacific Islanders (APIs) and other immigrant communities across the United States as well as jurisdictions associated with the United States in the Pacific. Please withdraw the proposed public charge rule because it would penalize immigrants' access to necessary human services such as health care and financial support.

ASIA is the largest comprehensive health and social services organization serving the Asian American and Pacific Islander (AAPI), immigrant, refugee and others in the State of Ohio. In its nearly 25 years of work, ASIA has become a local and state leader in social justice, civil rights, and the deliverer of innovative services to the most vulnerable population in the State. Annually, the organization's work reaches over 50,000 individuals.

ASIA is governed by a board that represents the community we serve. ASIA's board includes doctors, lawyers, accountants, public health advocates, and educators. Every member of ASIA's board has a connection to the immigrant or refugee experience. ASIA's board members are either former immigrants or refugees, or descended from immigrants or refugees. The composition of ASIA's board reflects a history of immigrant families who have come to this country with very little and have worked hard to become professionals that make meaningful contributions to the United States.

Every story about the immigrant experience that I have ever heard begins with a description of immigrant families coming to the United States with the clothes on their back and a small amount of money. Immigrants leave behind everything in their former country for the opportunity for a better life in the United States. The proposed change

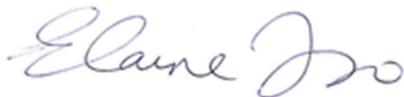
to the definition of public charge would directly impact these immigrants and their families. Not only does the proposed change expand the list of public benefits considered in the analysis of whether the applicant is a public charge, it also changes how the public charge test will be applied to every applicant seeking permanent resident status. The current public charge rule sufficiently balances the core value of the United States to promote self-sufficiency and the need for new immigrants to have access to safety net services, without artificially restricting and reducing overall immigration on the basis of having ever used any public benefit. The current public charge rule differentiates between cash benefits and non-cash benefits so that accessing a non-cash public benefit such as Medicaid does not force an immigrant family to choose between seeking immediate medical care for a sick child and the desire to gain or retain permanent resident status in the future.

The proposed change to the definition of public charge would eliminate the distinction between cash benefits and non-cash benefits. Doing so would penalize an immigrant family for having received any public benefits. Under the proposed definition of public charge and the use of a “totality of circumstances” test, applicants who are under age 18, over age 61, have any medical condition, have less education, have limited English proficiency, have lower household incomes, received Medicaid, Supplemental Nutrition Assistance Program (SNAP), Medicare Part D subsidies, and/or public housing support would be negatively impacted in their application for permanent residence status.

The fear surrounding the proposed change to the definition of public charge has already caused immigrant clients of ASIA to decline assistance from public benefits such as Medicaid. In particular, a pregnant immigrant client of ASIA has chosen not to apply for Medicaid in order to maintain her lawful permanent resident status. Without access to Medicaid, she will not have adequate prenatal care. When her baby becomes a natural born United States citizen, the baby will have access to Medicaid, however, what if the baby has health challenges that could have been diagnosed and/or prevented through adequate prenatal care to the mother? Additionally, approximately two-thirds of the patients receiving health care services from ASIA’s International Community Health Center receive Medicaid benefits. Consider the exponential community health impact if thousands of people decide not to receive necessary health care to prevent the spread of illness and threaten the health of those around them. These examples are real effects that the proposed change to the definition of public charge would have.

For all of these reasons, as well as other reasons, ASIA strongly opposes the proposed change to the definition of public charge and urges the U.S. Citizenship and Immigration Services, Department of Homeland Security to withdraw the proposed public charge rule immediately.

Very truly yours,

A handwritten signature in blue ink that reads "Elaine Tso". The signature is written in a cursive, flowing style.

Elaine Tso  
Interim CEO of Asian Services in Action, Inc.