



Mayor Sylvester Turner



LINA HIDALGO

October 7, 2019

The Office of Management and Budget  
725 17th Street, NW  
Washington, DC 20503

**RE: DEPARTMENT OF JUSTICE DEPORTABILITY ON PUBLIC CHARGE  
GROUNDS PROPOSED RULE CHANGE**

To Whom It May Concern:

The City of Houston and Harris County strongly oppose the Department of Justice's (DOJ) proposed rule change on the inadmissibility and deportability of public charge (Proposed Rule). We believe this Proposed Rule will have a deleterious impact on the economy, fiscal situation, public health, and the safety of the residents of Houston and Harris County.

The Houston area is the seventh largest economy in the United States, and its success heavily depends on our global connections and large foreign-born population. It is important that the Federal government avoids developing policies like the Proposed Rule that will create fear in immigrant communities in Houston and Harris County. Our success as a region depends on an immigrant community that is empowered, healthy, and secure. They should be respected and appreciated as contributing members of the social and economic fabric of our society, not just because it is the right thing to do, but because our future depends on it.

Despite the Houston area's economic success, Texas has the largest number of uninsured individuals in the country, many of whom are immigrants. The uninsured, foreign-born population depends on health services like those provided by the City and the County. The Proposed Rule will create a chilling effect that will keep them from seeking medical attention. Decreased participation in the health programs run by Houston and Harris County could potentially lead to a public health epidemic.

Furthermore, the chilling effect could keep people from contacting law enforcement to report violent crimes for fear that they or a family member will be deported. This will result in unsafe

neighborhoods and silence innocent victims of violent crime. Victims of domestic violence, or those who are held captive by human traffickers, will be afraid to come forward. Perpetrators will break the law with impunity because of the fear created by the Proposed Rule.

We respectfully request that you read the information attached to our letter, and thoughtfully consider the facts that support our position. As stated, the Proposed Rule will have a detrimental impact on both our native and foreign-born constituents that have found many ways to live and work together as friends and neighbors. It is only by working together that we can build a more prosperous City and County.

Thank you for your thoughtful consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Sylvester Turner". The signature is fluid and cursive, with a large initial "S".

Hon. Sylvester Turner  
Mayor, City of Houston

A handwritten signature in black ink, appearing to read "Lina Hidalgo". The signature is cursive and stylized, with a large initial "L".

Hon. Lina Hidalgo  
County Judge, Harris County

## **Economic Impact**

The Proposed Rule will have a severe impact on our thriving economy, which depends on the foreign-born population, and our relationship with other countries. In a report by the Migration Policy Institute, "Immigrants comprised almost one-quarter of the total population of the Houston Metropolitan Area, and children with at least one foreign-born parent made up 44 percent of all children under age 18, as of 2016." The same report found that 32 percent of our workers were immigrants.

According to the Greater Houston Partnership, the Houston area is one of the largest trading hubs in the world. Our established relationships with over 200 nations contribute to trading activity that exceeds \$1 billion each year. With over 92 consulates in our area, we have the third-largest consular corps in the nation. The Houston area's economy depends on its global connections and foreign-born population, which has fostered one of the most economically dynamic places in the world.

A report by the New American Economy showed that over 1,624,534 immigrants residing in our area have a spending power of \$41.6 billion and pay an estimated \$13.8 billion in taxes. Also, with a declining population of baby boomers, immigrants strengthen our labor force by filling labor shortages that can no longer be met by an aging population. Our future as a prosperous and healthy region depends on a strong immigrant workforce that is supplying the demand for workers in all areas such as construction, food services, and medical care.

Another study by the Center for Houston's Future stated that because immigrants make up one-third of the region's workforce, and because of the slow employment growth of the native population, immigrants will be the key to our continued economic growth. It is our belief that should the DOJ rule change be enacted, this will adversely affect the immigrant population, which could then result in weakened economic ties with other nations that may be less inclined to do business in a region that is perceived as being anti-immigrant. This could further result in fewer jobs and economic opportunities for both the native and foreign-born population.

The Proposed Rule will also create a material adverse impact on state and local governments by creating significant compliance and administrative costs. This Proposed Rule imposes additional burdens on our jurisdictions that already lack adequate funding to meet the needs of our constituencies. Despite having one of the strongest economies in our history, the City of Houston already has limited funds due to a revenue cap. Similarly, the state of Texas has enacted restrictions on local property taxes that limits the ability of Harris County to fund necessary investments. The Proposed Rule will make it more difficult for the City and the County to meet the increased needs of residents, who rely on our services for necessary public goods like healthcare and public safety.

Specifically, the added financial burden caused by the Proposed Rule concerns the need for our jurisdictions to find resources to help train an already over-burdened workforce that will not be prepared to respond to questions and fears from consumers. Rather than focus on helping

residents with the most basic services, staff will need to be trained on how to handle the complexities that will develop as a result of the Proposed Rule.

Call center staff will be required to know about these changes just to determine which department staff is the most equipped to answer immigration questions or complete forms. Employees offering direct services will be required to have technical knowledge in how to answer questions and provide the required information. This is problematic because it is unlikely that our direct-services staff are familiar with the complexities of immigration law. While the City and the County have some of the best public servants in the nation, the financial burden to train and prepare our staff will be onerous. It is unlikely that nonprofits will be able to fill the gap that our jurisdictions will be unable to meet.

Our area was also hit hard by Hurricane Harvey, which was the wettest tropical cyclone in US history. The National Hurricane Center reported that Harvey caused over \$125 billion in damage and displaced over 30,000 residents. Both the City and County are still trying to recover from the storm's devastating effects, and now must also contend with recovering from Tropical Storm Imelda, which hit our region in September 2019. Since the aftermath of these storms, City and County employees have had to increase their workload to assist victims, while at the same time continue to perform their other job responsibilities. Adding the compliance and administrative burdens of the Proposed Rule only makes our recovery that much more difficult.

### **Effects on Health and Health Care**

The Proposed Rule change will create a widespread chilling effect with immigrants and their families who will avoid accessing public benefits and services out of fear of the negative consequences to their immigration status. Decreased participation in the City and County's health programs will cause an even greater risk to public health and our public finances. The harm caused by this chilling effect would reach far beyond any individuals who may be affected directly, making it very difficult for local jurisdictions to provide health services to some of our most vulnerable immigrant communities.

Houston is home to the largest medical center in the world. According to the Manatt Health report commissioned by hospital and medical school groups, Medicaid and CHIP hospital payments in the Houston metropolitan area could drop by as much as \$634 million *in one year* due to fears of the public charge rule (\$220 million for noncitizen enrollees and \$414 million for enrollees who are family members of a noncitizen). The fiscal impact on our respective health systems is enormous and we know that our already overburdened trauma delivery and public hospital systems will face even more financial pressure.

The following are other examples of how the rule will affect the health of our constituents:

- **Vaccine-Preventable Diseases** – More vaccine-preventable disease outbreaks due to fewer people being vaccinated. School and college enrollment would also decrease due to children not meeting immunization guidelines and requirements.
- **Chronic Diseases** – Increase in chronic diseases due to fewer people participating in preventative health education. Treating people for heart

disease, cancer, diabetes, and other chronic diseases is much costlier than offering services to prevent such diseases in the first place.

- **Incomplete Assessments** – Refusal to provide contact information because of fear of how this might affect immigration status. This jeopardizes public health because of our inability to effectively investigate, control, and stop disease outbreaks.
- **Emergency Room Visits** – Increased burden on emergency rooms and emergency medical services due to lack of preventative care caused by not having insurance.
- **Hospitalizations** – Increased taxpayer funded hospitalizations due to not having access to a doctor or lacking health insurance.
- **Preventable Deaths** – Increase in preventable deaths due to people not getting referrals for accessing healthcare, acquiring vaccine-preventable diseases, and uncontrolled chronic conditions.

Due to the barriers placed by the new rule, fewer children and families will access SNAP and other government programs even if they are eligible. Since 2017, Harris County has seen a significant drop in enrollment in government programs. According to data published by the Texas Health and Human Service Commission, Harris County experienced:

- A 9 percent drop in Medicaid enrollment of children between December 2017 to May 2019
- A 14.7 percent decline in SNAP enrollment between January 2018 and August 2019. In addition to an increase in food insecure families, this represents a \$12 million per month loss of SNAP benefits for the Harris County economy.

A large portion of these decreases in enrollment can be attributed to the chilling effect created by anti-immigrant policies and rhetoric. This anticipated rule would worsen the effect as it adds additional fear among legal permanent residents of being deported. As the elected representatives of our jurisdictions, we have a responsibility to make sure that public health services are centered on preventing people from getting sick or injured. This preventative service approach saves lives and billions of dollars annually in healthcare costs. By imposing massive new policy barriers to legal immigration for people who receive public assistance, fewer individuals will participate in vital public health services.

### **Chilling Effect on Law Enforcement and Disaster Response**

We also believe that the Proposed Rule will make our neighborhoods less safe. With the increase in anti-immigrant rhetoric and policy changes, we have seen a drop in the number of immigrants reporting violent crimes. It is vital that all residents, both native and foreign-born, not be afraid to contact the police to report, for example, crimes like robberies, human trafficking, or violent street gang activity that threaten the safety of our communities.

Our local law enforcement depends on the strong relationships with the communities it is sworn to serve and protect. The City of Houston and Harris County are safer when everyone, regardless of

immigration status, feels comfortable interacting with law enforcement.

Crime victims are already much less likely to report violent crime in areas where large numbers of immigrants live. Analysis of the National Crime Victimization Survey from 1994 to 2014 shows that in neighborhoods where at least 65% of residents are immigrants, a victim will report crime at only a 5% rate. When concerns about local law enforcement's role in immigration are added, the ability of local law enforcement to work in these immigrant communities decreases even further. According to a report by the Department of Urban Planning and Policy at the University of Illinois at Chicago, "38 percent of Latinos reported they feel like they are under more suspicion now that local law enforcement authorities have become involved in immigration enforcement. This figure includes 26 percent of US-born respondents, 40 percent of foreign-born respondents, and 58 percent of undocumented immigrant respondents." Although we continue to publicly communicate to our immigrant populations that they have nothing to fear from law enforcement, they are, understandably, reluctant to cooperate with the police for fear that they will be apprehended by immigration authorities.

The Proposed Rule will not only affect law enforcement, but it will also make it difficult to provide vital assistance to immigrants during a natural disaster. Despite the City of Houston's assurances that immigrants seeking shelter during Hurricane Harvey would not be detained by immigration authorities, immigrants were less inclined to go to the city-owned George R. Brown Convention Center, which was designated as one of the primary shelters for residents during the storm. While we and our non-profit partners are doing everything we can to assist immigrants who are still recovering from the effects of Harvey, we are concerned that they will be less inclined to seek help in the future. This will be devastating when one considers the increase of extreme weather patterns in our area. There will be a greater need to provide emergency safety services to immigrants, which is why it is vital that local, state, and federal authorities not create policies that exacerbate fear within vulnerable populations that would likely rely on public assistance during future natural disasters.

The Proposed Rule would undermine the public safety, public health and economic growth of Houston and Harris County. It would demonstrably harm, not only the foreign-born population of the area, but all residents of the Houston and Harris County region.