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Congress of the United States
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August 19, 2020

Kenneth T. Cuccinelli
Senior Official Performing Duties of the Director
U.S. Citizenship and Immigration Services
20 Massachusetts Ave, NW Washington, DC 20001

Dear Mr. Cuccinelli,

I write on behalf of immigrant constituents, particularly business owners and entrepreneurs, in Oregon's First Congressional District to urgently request that U.S. Citizenship and Immigration Services (USCIS) issue communications to help community members understand what specific programs or benefits can factor in a public charge determination.

In response to the COVID-19 pandemic, federal, state, and local programs have been created to support members of our community, including immigrants, who are struggling with the dire economic downturn and even greater long-term uncertainty. A number of these programs aim to provide support and relief to small business owners as they navigate the unprecedented hardship that the ongoing COVID-19 pandemic has inflicted on their businesses. Receiving disaster assistance is not typically a negative factor in a public charge assessment. However, in light of ongoing litigation and confusion over USCIS policies, community members who are immigrants are understandably confused and apprehensive. Similarly, under the final rule issued by the agency, only cash assistance programs for income maintenance are considered a negative factor, not for businesses, but the current environment is creating confusion that must be addressed. These eligible community members are forgoing community assistance that could help their businesses retain jobs and sustain local economies in fear of USCIS actions that could harm them or tear apart their families.

Many local programs that provide financial support to individuals, families, and businesses are backed fully or in part by federal funding streams, compounding the lack of clarity. For example, the City of Hillsboro will soon be awarding a third round of small business grants that draw on Washington County, Oregon's distribution of funds made available through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act, P.L. 116-136).

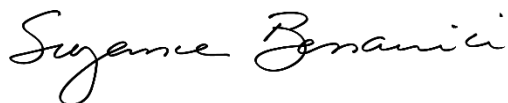
Yet USCIS has allowed a cloud of confusion to stop relief from reaching eligible business owners. There remains a need for explicit communication of exactly what public funding, if any, provided via the CARES Act and other relief efforts at the federal, state, or local level would be considered in a public charge determination. USCIS has announced that it will not consider any

testing or treatment for COVID-19 as part of the public charge inadmissibility determination, but no such information has been made for many other public services or assistance programs that pose a great benefit to the wider community.

At this moment, there are immigrant members of our community doing everything they can to provide for their families, keep them healthy and safe, and contribute to society by creating economic activity and opportunities for employment. Despite ongoing litigation that will likely take months to resolve, they **need clarity today** from USCIS so that they can access badly needed resources that they are eligible to receive without fear of inadvertently triggering immigration action that would harm them and their families. I respectfully request that USCIS immediately issue clear communication to assist those navigating the landscape of public services, supports, and benefits to clarify whether and how participating in these programs will or will not factor in a public charge determination.

Because this is an urgent issue that is affecting families and small businesses, please respond to this letter by publicly issuing updated communication as soon as possible and no later than August 28, 2020.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Bonamici".

Suzanne Bonamici
Member of Congress