



Montgomery  
County Council

**Committee:** Directly to Council  
**Committee Review:** N/A  
**Staff:** Lillian Cruz, Deputy Chief of Staff to Councilmember Albornoz  
**Purpose:** To introduce agenda item – no vote expected  
**Keywords:** #PublicCharge

AGENDA ITEM #3(G)  
February 25, 2020  
**Action**

## SUBJECT

Resolution urging the United States Congress to promptly adopt comprehensive immigration reform that will protect immigrants and their families and oppose any federal regulatory change that would negatively affect them.

## EXPECTED ATTENDEES

None

## COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- No Committee Recommendation required. Resolution was introduced on February 4, 2020.

## DESCRIPTION/ISSUE

The United States Supreme Court has allowed the Trump administration’s changes to the definition of public charge to go into effect. The changes will negatively impact many immigrants’ ability to become a legal permanent resident of the United States (U.S.) and create confusion and fear that discourage people from seeking benefits they are eligible to use. Estimates are that nationally as many as 26 million people and their families may be dissuaded from using appropriate public benefits. Montgomery County Government, Montgomery County Public Schools, and non-profit organizations have already received numerous reports of families that will not apply for benefits for their U.S. born children, even for local programs that are not included in the public charge.

## SUMMARY OF KEY DISCUSSION POINTS

- Immigrants make significant economic and social contributions to the nation and to Montgomery County. Montgomery County immigrants represent more than 85 countries and 138 languages. Montgomery County’s diversity is its strength. In Maryland, immigrant-owned businesses generated \$1.5 billion in business income. Immigrants pay federal and state taxes and contribute the Social Security and Medicare Trust Fund.

### This report contains:

Resolution  
February 3, 2020 Press Release

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Resolution No.: \_\_\_\_\_  
Introduced: February 4, 2020  
Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsors: Councilmember Alborno and Councilmember Navarro  
Co-Sponsors: Council President Katz, Councilmember Jawando, Councilmember Rice,  
Councilmember Glass, Council Vice President Hucker, Councilmember Riemer and  
Councilmember Friedson

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**SUBJECT:** Montgomery County Council Urges the United States Congress to promptly adopt comprehensive immigration reform that will protect immigrants and their families and oppose any federal regulatory change that would negatively affect them.

**Background**

1. On January 27, 2020, the Supreme Court of the United States issued a decision that will create major barriers for low- and moderate-income immigrants seeking to enter or remain legally in the United States.
2. This ruling has allowed the Trump administration's changes to the current definition of public charge to go into effect on February 24, 2020.
3. The federal regulation on public charge now states that a person who is likely to become "primarily dependent" on government services is considered a "public charge" and therefore it may greatly affect their ability to become a legal permanent resident of the United States.
4. Under this modified regulation, an individual's income threshold (earning less than 125% of the federal poverty level), age, certain health conditions, limited English proficiency, minimal education background, and prior receipt of certain benefits may also be taken into account and negatively impact the individual's eligibility to gain permanent legal status and, in the future, attain lawful U.S. admission.
5. Even if an immigrant isn't currently receiving or eligible for a governmental benefit, immigration officials will consider whether, in their judgment, the person is likely to use those benefits at any point in the future.

6. This decision constitutes a direct discriminatory attack on our legal immigration system. It will especially cause suffering to low-and-moderate income immigrant families and will cause a severe financial and emotional hardship to their well-being and quality of life.
7. The Trump administration's policies have already caused a "chilling effect" that has resulted in immigrants and their U.S. citizen family members forgoing benefits that they are eligible for, and the recent Supreme Court's decision will only exacerbate this untenable climate of fear. A Manatt Health analysis estimates that as many as 26 million people and their families could be dissuaded from using these public benefits.
8. Here in Montgomery County, we have already seen that immigrant children from both documented and undocumented families have stayed home from school as a result of the Trump administration's policies against immigrants, who are our neighbors and friends. Similarly, our Health and Human Services Department has also experienced declines in immigrants eligible for services attempting to access these benefits.
9. The Primary Care Coalition (PCC), which works to improve healthcare for vulnerable families and individuals, monitors changes in patient behavior. PCC reports numerous cases of people being fearful to interact with the health care system; not wanting to apply for benefits for their U.S. born children; and, not wanting to remain engaged with locally funded programs even though these local programs are not included in public charge determinations.
10. Immigrants have made and continue to make significant economic and social contributions to Montgomery County. Our immigrant population represents more than 85 countries and approximately 138 languages are spoken here. Residents moving into the county from abroad averages nearly 10,000 new residents per year since 2010 and is widely diverse.
11. This diversity is our strength and deepens our resolve to move Montgomery County forward together. Immigrants contribute to our local economy. They are owners of many local, small businesses. In Maryland, 67,580 immigrant business owners accounted for 23.8 percent of all self-employed residents in 2015 and generated \$1.5 billion in business income. In 2015, immigrants accounted for 50.7 percent of business owners in the Washington, D.C., metropolitan area, according to the American Immigration Council.
12. Immigrants also contribute significantly to our State and local revenues. Immigrant-led households in the state paid \$6.1 billion in federal taxes and \$3.1 billion in state and local taxes in 2014. In addition, immigrants support the aging native-born U.S. population by contributing to the Social Security and Medicare trust funds.

13. Here in Montgomery County, we are already experiencing the effects from the Trump administration's intent to instill distress among immigrant families, who are our neighbors and friends.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

The Montgomery County Council joins the Protecting Immigrant Families Campaign, along with local advocacy immigrant organizations and faith-based organizations, in calling on the United States Congress to promptly adopt comprehensive immigration reform that will protect immigrants and their families and oppose any federal regulatory change that would negatively affect them.

This is a correct copy of Council action.

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Selena Mendy Singleton, Esq.  
Clerk of the Council

## Press Releases - County Council

Press Releases » Release

# Councilmembers Gabe Albornoz and Nancy Navarro to hold press conference on resolution denouncing SCOTUS' public charge decision and urging Congress to enact comprehensive immigration reform

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For Immediate Release: Monday, February 3, 2020

**WHAT:** Press conference

**WHO:**

- Councilmember Gabe Albornoz
- Councilmember Nancy Navarro
- County Executive Marc Elrich
- Council President Sidney Katz
- Councilmember Will Jawando
- Dr. Raymond Crowel, Director, Montgomery County Department of Health and Human Services
- Dr. Michelle LaRue, HHS lead, CASA
- Diana Konate, Policy Director, African Communities Together
- Agatha Schmaedick Tan, Staff Attorney, Asian Pacific American Legal Resource Center

**WHEN:** Tuesday, Feb. 4 at 12:30 p.m.

**WHERE:** Capital Crescent Trail Room, 4th Floor, Stella B. Werner Council Office Building, 100 Maryland Ave. in Rockville

**TOPIC:** Councilmembers Albornoz and Navarro will introduce a resolution at the Montgomery County Council meeting on Tuesday, Feb. 4 to denounce the Supreme Court's (SCOTUS) public charge decision and urging Congress to enact comprehensive immigration reform.

This resolution is in response to SCOTUS' Jan. 27 decision regarding the Trump administration's change to the current public charge regulation, which would create major barriers for low-income immigrants seeking to enter or remain legally in the U.S. Under this regulation, an individual's income threshold (earning less than 125 percent of the federal poverty level), age, certain health conditions, limited English proficiency, minimal education background and prior receipt of certain benefits may be taken into account and negatively impact the individual's eligibility to gain permanent legal status, and in the future, attain lawful U.S. admission.

This decision constitutes a direct attack on the legal immigration system and will cause a financial and emotional hardship, not only to their well-being, but to the quality of life of our community.

"The recent 5-4 Supreme Court decision on public charge will cause a severe hardship to working immigrant families in our community," said Councilmember Albornoz. "Our diversity is our strength. This ruling underscores President Trump's efforts to attack our legal immigration system and continue to instill fear among our most vulnerable. It is time to take a stand against discriminatory actions aimed towards our immigrant communities who move our County forward, not backwards."

"The ruling from the Supreme Court on the matter of the Trump administration's 'public charge' rule is the antithesis of the identity of America in the 21st Century, and I join my counterparts from around the country in objection to such a short-sighted, ill-conceived ruling," said Councilmember Navarro. "The consequences of being considered 'likely to become a public charge' are vast, not just for those following the legal process to adjust their immigration status, but ultimately these will have a chilling effect on those individuals who will now choose between forgoing critical public services that their families or themselves might be eligible for, due to fear that it could jeopardize their immigration status."

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