



Supporting Immigrant Families in Las Vegas

Efforts to Reduce Chilling Effects around the Public Charge Rule at the Local Level

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Immigrant communities are currently navigating dual challenges: they face disproportionate economic hardship caused by the COVID-19 pandemic as well as barriers to safety-net support access that are more acute because of recent changes to federal immigration policy. A revised “public charge rule,” which took effect in February 2020, just before the pandemic hit the US, makes receipt of Medicaid, food stamps, and certain other public benefits a negative factor in immigrants’ applications for green cards. Like many around the country, immigrants in Las Vegas are experiencing “chilling effects,” avoiding benefits and other supports for themselves or their children out of concern over the public charge rule or immigration enforcement. Local governments and service providers can provide information and resources to help overcome the chilling effects of the rule and to encourage immigrant families to seek benefits they need and may be entitled to. Local efforts in Las Vegas to educate immigrants about the public charge rule have faced challenges partly because the rule is complex but also because of resource limitations and coordination challenges among public benefit agencies and community-based organizations.

As a new destination for immigrants, Las Vegas’s organizations and capacity to serve immigrant communities have expanded, but they are still limited. Public benefit agencies, local institutions, and mainstream service providers are making greater efforts to better serve immigrants despite limited resources. But improving access to public or private mainstream programs and resources requires

addressing concerns, such as the public charge rule, that may keep many immigrant families from availing themselves of assistance. Moreover, the widespread economic impact and increased isolation caused by the COVID-19 pandemic have exacerbated existing challenges in communication about and coordination of immigrants' access to services and supports in Las Vegas. Although the COVID-19 pandemic has encouraged more coordination among governments and service providers to disseminate critical information to immigrant communities, immigrants disproportionately affected by the economic crisis have been largely excluded from direct financial assistance, including federal stimulus payments.¹ This situation has many policymakers, service providers, and advocates worried about immigrants' health and well-being and the effectiveness of local recovery efforts.

Although the perspectives described in this brief were collected just as the pandemic had begun spreading across the US, the findings can help Las Vegas and other communities as they work to recover from the crisis and support their residents. At a time of acute need for services and supports and in light of barriers to access (such as the new public charge rule), our findings reaffirm several lessons about effectively serving immigrant communities. First, improved messaging and clear information about the public charge rule are urgently needed. Second, strategic coordination is required across public agencies, community-based organizations, and other entities working with or on behalf of immigrant families to mount a cohesive and compelling response. Third, although access to information is crucial, the public charge rule and other immigration laws are complex, meaning a robust legal aid network that has the resources and cultural and linguistic capacity to serve immigrants is necessary. Finally, the bedrock for effective and inclusive outreach to immigrant communities goes beyond language access or effective communication and requires building authentic trust.

Background

As part of a broader policy agenda to limit immigration to the United States, the Trump administration has instituted a revised public charge rule (box 1) that could significantly alter the admissions and adjustments process for permanent residency and temporary visas. The administration moved to significantly expand the rule's scope in 2018, and an active public comment period on the draft rule followed. The final, revised rule,² released in August 2019 and originally scheduled to go into effect in October 2019, was temporarily held up by legal challenges. It took effect nationwide on February 24, 2020, although litigation is still under way.³

BOX 1

What Is the New Public Charge Rule?

The new public charge rule vastly expands the criteria through which immigrant applicants may be denied admission to and residency in the US for having received public benefits or being deemed likely to receive public benefits in the future. Departing from past practice, where only primary reliance on cash benefits or long-term medical institutionalization were considered, the new rule redefined the “totality of circumstances” test to consider not only previous use of certain cash *and* noncash benefits but also a wide range of personal characteristics that could lead to benefit use “at any time in the

future,” including income and assets, age, health, family size, and education and skills, like English proficiency (Protecting Immigrant Families 2020a).

The new rule expands the list of benefits to be considered in a public charge determination to include the Supplemental Nutrition Assistance Program (SNAP), formerly known as food stamps; nonemergency Medicaid for nonpregnant adults age 21 and over; and Section 8 housing assistance or public housing. The revised public charge determination does not consider receipt of federally funded Medicaid for emergency care, pregnancy-related care, or care for children under age 21.

The rule applies to applications for green cards from within the US and abroad, applications for temporary visas from abroad, and changes or extensions to temporary visas from within the US (e.g., student visas). The rule does not apply to citizenship applications or green card renewals, although a green card holder who leaves the US for more than six months may be subject to a public charge test. Several humanitarian admission groups are exempted, including refugees and asylees; survivors of trafficking, domestic violence, or other serious crimes (T or U visa applicants and holders); Violence Against Women Act self-petitioners; and special immigrant juveniles (Protecting Immigrant Families 2020a).

Research has shown that many immigrant families are avoiding public programs because of chilling effects around the public charge rule (Bernstein et al. 2019; Bernstein et al. 2020), as well as widespread confusion and misunderstanding about details of the rule, including which benefit programs are considered and to whom the rule applies (Bernstein, McTarnaghan, and Gonzalez 2019). For instance, most adults in immigrant families surveyed do not understand that the rule does not apply to applications for citizenship or that the rule does not consider benefits used by the children of green card applicants (Bernstein et al. 2020). Research suggests that misinformation about the rule is leading to spillover to programs it does not list—such as the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) or free or reduced-price school lunches—and is affecting people it does not directly concern, such as US-citizen children of immigrant parents and program-eligible green card holders, who will not be subject to a future public charge test (Bernstein et al. 2020; Straut-Eppsteiner 2020).

The confusion and fear are affecting communities across the country, where many service providers are observing a drop in program participation among immigrant families (New York City Mayor’s Office of Immigrant Affairs 2020; Protecting Immigrant Families 2020b; Straut-Eppsteiner 2020; Tolbert, Artiga, and Pham 2019) and fielding many questions from clients about whether accessing certain programs would lead them to be considered a “public charge.” Service and legal assistance providers are facing their own information challenges trying to stay on top of complex policy and legal developments. Although national efforts such as the Protecting Immigrant Families campaign⁴ have spoken out widely against the rule and educated service and legal assistance providers who work with immigrant families, many gaps remain.

Although drops in program participation are of urgent concern, particularly when many immigrant workers and families are vulnerable to the health and economic impacts of the COVID-19 pandemic (Gelatt 2020; Gonzalez, Karpman, et al. 2020), it is important to recognize that generally, eligibility for

many federal programs is limited for noncitizens.⁵ However, we also know that immigrant families with members who are indeed eligible for safety-net programs (e.g., children who are US citizens) face many challenges to accessing them, such as language or cultural barriers, a lack of information, varying eligibility for members in “multiple-status” households,⁶ and fear of authorities (Fortuny and Chaudry 2011; Gelatt and Koball 2014; Perreira et al. 2012), all of which are in addition to the chilling effects specific to the revised public charge rule. Constrained access to the safety net because of these barriers limits options for health insurance coverage and likely contributes to the high uninsurance rates among noncitizens (Capps and Gelatt 2020): in 2018, 23 percent of lawfully present immigrants (including green card and temporary visa holders) and 45 percent of undocumented immigrants were uninsured compared with 9 percent of US-born and naturalized citizens.⁷ During a public health crisis, limited access to health insurance poses a serious challenge; for uninsured people, concerns about health care costs and a lack of a usual source of care may lead them to forgo COVID-19 testing and treatment.⁸ Although otherwise-Medicaid-eligible individuals can access emergency Medicaid coverage regardless of their immigration status, only five states (California, Delaware, New York, Oregon, and Pennsylvania) had determined as of April 2020 that emergency Medicaid would cover COVID-19 testing and treatment; Washington State determined it would cover only testing (Capps and Gelatt 2020).

Moreover, federal economic relief legislation in response to the pandemic has excluded many immigrant families. People must file taxes using a Social Security number to receive the one-time pandemic tax rebate (“stimulus payment”) under the Coronavirus Aid, Relief, and Economic Security Act. This requirement means that families cannot receive the rebate if a member files taxes using an Individual Taxpayer Identification Number or files jointly with a spouse who does not have a Social Security number. This exclusion particularly affects undocumented immigrants and multiple-status households that include US-citizen spouses and children. Undocumented immigrants are also excluded from expanded unemployment insurance because this benefit requires recipients to have authorization to work in the US.⁹

Limited eligibility for federal programs and spillover chilling effects that are discouraging immigrant families from seeking out any type of public or private support pose risks for families and public health.

Study Approach

This case study of Las Vegas, along with a similar study focused on Houston (Gonzalez, Bernstein, et al. 2020)¹⁰ investigates emerging local attempts to support immigrant families given chilling effects around the public charge rule and the COVID-19 pandemic. To understand the dynamics of immigrant access to safety-net resources and community responses to the public charge rule, we used a qualitative approach. We selected Las Vegas for this case study because of its growing immigrant community and its relatively nascent public and private infrastructure for serving immigrants (box 2).

We interviewed a total of 23 people across 12 organizations in Las Vegas. The organizations included public benefit programs, government offices, health care providers, food banks, legal service organizations, and other immigrant-serving community-based organizations. Our interviews explored

safety-net access for immigrant families, fears around participation in programs because of immigration concerns, understanding of the public charge rule, and perceptions of local efforts to communicate information about the public charge rule. We had planned to conduct focus groups with adults in immigrant families as part of a site visit to Las Vegas in March 2020. Unfortunately, because of the COVID-19 pandemic and associated travel limitations, we canceled the focus group component. Future research on chilling effects in specific cities would benefit from direct engagement with immigrant communities as well as the service provider perspectives we obtained.

BOX 2

Profile of Immigrant Communities in Las Vegas

Las Vegas, notorious for its entertainment and gaming scene, is lesser known for being one of the major emerging immigrant gateways in the US (Singer 2015). Because of an abundance of decently paid, low-skill jobs and a relatively low cost of living, the Las Vegas metropolitan area, situated within Clark County, has become a popular destination for immigrants. Today, one in five Clark County residents were born outside the US (“foreign-born”), and about 52 percent of the foreign born are Latinx, while about 29 percent are Asian Americans and Pacific Islanders.^a Numbers of immigrants from Africa (particularly Ethiopia) and the Middle East are also growing in Las Vegas, partly thanks to an established and active refugee resettlement program.

Over one-third of Clark County’s foreign-born population works in the entertainment, accommodations, and food industry, followed by a large presence in educational services as well as health care and social assistance. A quarter of Clark County residents are native Spanish speakers, with Tagalog being the third most commonly spoken language. Fully 47.7 percent of foreign-born Clark County residents speak English less than “very well.”^b It is estimated that over a third (35 percent) of immigrants in Nevada, most of whom live in the Las Vegas area, are undocumented.^c Approximately 4 in 10 children in Las Vegas are children of immigrants.^d

^a Authors’ tabulation of ACS 2018 1-year estimates.

^b Authors’ tabulation of ACS 2018 1-year estimates.

^c “U.S. Unauthorized Immigrant Population Estimates by State, 2016,” Pew Research Center, February 5, 2019, <https://www.pewresearch.org/hispanic/interactives/u-s-unauthorized-immigrants-by-state/>.

^d Cary Lou, Hamutal Bernstein, Gina Adams, Erica Greenberg, Devlin Hanson, and Karina Fortuny, “Visualizing Trends for Children of Immigrants,” Urban Institute, last updated February 27, 2020, <http://apps.urban.org/features/children-of-immigrants/>.

Because interviews were completed as the pandemic escalated in March, we also followed up in April and May through telephone and email exchanges with eight interviewees to ask questions about the challenges and local responses to meeting immigrants’ needs in Las Vegas during the crisis. To search for evidence of messaging around the public charge rule and of nascent targeted outreach efforts to immigrants amid the pandemic, we scanned local news articles, the websites and social media pages of organizations we had interviewed, and websites of local government agencies. This search took place between March and mid-May 2020.

Our study was conducted shortly after the Supreme Court's ruling that allowed national implementation of the public charge rule on February 24, 2020, in the early stages of the COVID-19 pandemic's spread to the US. As such, our findings offer a unique insight into the experiences of immigrant families in a major metropolitan urban area during a period of changing immigration policies and an unprecedented public health crisis. Findings described here may not capture new local responses that took place following our data collection period. Moreover, our interviewees mostly work with the Latinx immigrant community, so our findings may not fully capture the experiences and perspectives of other immigrant communities in Las Vegas.

Chilling Effects in Las Vegas

Similar to findings at the national level (Bernstein et al. 2020), interviewees reported that many immigrants in Las Vegas have been reluctant to participate in public programs because of concerns about the public charge rule. Program agency representatives and service providers have observed over the past two years (during which the rule was released for comment and widely discussed in the media) that immigrants are hesitant to enroll themselves or their children in programs such as Medicaid and SNAP or are withdrawing from these programs altogether among those previously enrolled. Interviewees perceived chilling effects to be strongest for multiple-status families and for individuals actively pursuing green card status adjustments, although chilling effects have also been observed in families not directly affected by the revised rule.

Further, interviewees reported that concerns about the public charge rule among their immigrant clients spilled over to programs that are not included in the rule, including WIC, emergency Medicaid, and free or reduced-price school meals. This is also consistent with national survey findings (Bernstein et al. 2020). Anti-immigrant rhetoric and restrictive immigration and enforcement policies at the federal level (Lopez, Gonzalez-Barrera, and Krogstad 2018) have further compounded fears and confusion about the public charge rule, causing families to also worry about receiving assistance (e.g., free health care, food pantries, and children's educational resources) from privately funded sources.

Service providers acknowledged that confusion regarding the public charge rule is adding to people's mistrust of service organizations that offer enrollment assistance for public programs (e.g., health centers and food pantries that screen clients for eligibility and offer assistance with applications for Medicaid, SNAP, or WIC). The providers stressed that immigrant families have always had some fear of filling out applications and having personal information fall into the wrong hands. One interviewee reiterated how the public charge rule is layered in this context:

The people who are confused don't access anything, the people that don't have a choice accept whatever resources they have and accept they cannot change their status. It takes a lot of convincing. Here I let them know that they can get services no matter what, but they are afraid of the government getting their information. It isn't just public charge, it's the request for information that chills people.

Although Las Vegas agencies and service providers do not have estimates on how many immigrant families have avoided benefits locally, interviewees shared great concern about how chilling effects threaten the well-being of immigrant and multiple-status households. For example, health care providers explained that although a few community clinics serve those who are ineligible for Medicaid, immigrants who are otherwise eligible (for coverage for themselves or for a family member) but who abstain because of immigration concerns would no longer be eligible for care at those clinics. Those providers we interviewed noted that having to turn people away because they declined to enroll in Medicaid is painful given that not many options are available for care in a community with a shortage of health care services in general, let alone health care for low-income and uninsured people. Further, uninsured immigrants may be forced to bear the high cost of health care services when they already struggle to meet their basic needs, such as nutrition and housing. Another interviewee noticed that some immigrant families tend to enroll their children in Medicaid and forgo SNAP benefits because they are more likely to view medical care (rather than food) as a necessity they may not be able to afford without assistance. This is despite the fact that enrolling children in any public benefit they qualify for has no bearing on a parent's public charge determination.

Challenges to Addressing the Chilling Effects around the Public Charge Rule

As has also been reported around the country, confusion and misunderstanding of the public charge rule has created a challenging environment in Las Vegas for immigrants, public benefit agencies, and service providers as all struggle to understand how the rule affects families and public programs. Findings here illustrate barriers to addressing the rule's chilling effects in Las Vegas, a city with an already-limited network of services and supports accessible to immigrant families and a largely unresponsive state and local policy climate.

Limited Understanding of Changing Policies

AMONG IMMIGRANTS

Interviewees attributed chilling effects to confusion and misunderstanding of the public charge rule, particularly who it applies to and which programs it affects. Interviewees readily recounted examples of permanent residents and naturalized citizens panicking about public program enrollment even though the rule does not apply to them. Many interviewees were concerned about children specifically; some undocumented parents disenrolled their US-citizen children from Medicaid and SNAP even though children's program participation is also not considered in public charge determinations. Some interviewees admitted that not being able to convince these parents that their children could safely receive public benefits was frustrating and upsetting.

Interviewees noted that sources of information for immigrant communities on the public charge rule are most commonly Spanish news media, social media (including community resource pages on Facebook), and family and friends; this is similar to national trends on sources of information on the rule

(Bernstein et al. 2020). Several interviewees underscored that many immigrants tend to trust their fellow immigrants for information, but at times, obtaining information about the rule through informal sources inadvertently spreads harmful misinformation and opens immigrants up to illegal scams:

I've seen memes that have no sources and everyone is sharing them [on social media] ... I've seen hundreds of offers telling [immigrants] they can clear their public benefits record for a price. Smart people who are horrible are telling them they can clear their record.

One interviewee explained that the public charge rule is complex and has different implications for people depending on their immigration circumstances, but some people will mistakenly think that if something applies to a friend or relative, it must apply to them as well.

Interviewees reported that immigrants can also access information directly from service providers, who are quickly trying to learn about the public charge rule. One challenge has been that educational opportunities have been limited to places or organizations where immigrants are already seeking services rather than out in the community at large, leaving a gap for immigrant groups that are disconnected from these organizations. Interviewees could not estimate the magnitude of this gap but recognized a need for a community-wide, unified education and outreach effort.

AMONG SERVICE PROVIDERS

Most of our interviewees, who were representatives from public agencies and community-based organizations working with immigrant families, also admitted being confused by the rule and its implications for individual and family circumstances, and they therefore largely refrained from giving advice or pushing too hard to enroll clients in benefits they were afraid to access. Many interviewees expressed frustration at the complex nature and details of the rule and at the long, drawn-out processes of the public comment period, reviews, and legal battles. Some lamented that the federal government has not provided a clear message or guidance to immigrant families about the rule and potential liabilities; others felt the rule was complicated by design (i.e., that the rule was intended to deter immigrants from program participation broadly). Interviewees agreed that better, consistent guidance was needed, and several specified that this should be from state or local government sources. They noted that it is a challenge to ensure everyone in an agency or organization, especially those engaging directly with clients, has the knowledge and vocabulary to talk about the issue with clients. For the most part, interviewees reported they were careful not to provide legal advice and often defaulted to referrals to legal aid organizations.

But pro-bono or low-cost legal assistance, especially related to immigration law, is very limited in Las Vegas, which puts a burden on existing organizations and makes it difficult for individuals and families to get timely advice. For example, one of the few legal aid organizations in the city had to temporarily stop taking new green card application cases in February and March 2020 (when the new public charge rule was implemented nationally) so its staff could better understand the mechanics of the rule. One interviewee noted that absent an easy answer, some clients turn to less reliable sources of information, such as *notarios* (individuals who can help fill out and witness legal documents but who are

not attorneys and therefore are not qualified to give legal advice), or they lose trust and patience in the organization itself, which could affect its reputation. One interviewee said:

A lot of people had specific questions, so when we didn't know what to say, people just assume we didn't know what we were talking about. So then they go to a notario and pay them. The comment period gave people too much time. Because they didn't get an answer in November, they didn't want to wait until February to take action.

Limited Local Resources

The limited infrastructure for serving immigrant families in Las Vegas has complicated efforts to address the public charge rule's chilling effects. Interviewees across the board acknowledged that this stems from the general lack of social services and community resources in Las Vegas and Clark County, which have not been able to keep up with the area's rapid population growth. Interviewees noted troubling deficiencies, particularly in health care, legal services, and public education. For example, several interviewees characterized Las Vegas as a health care "desert," and others reported that the Nevada public school system tends to be near the bottom of national rankings.

This deficit is exacerbated among immigrants because immigrants have historically not been prioritized for services, the services often have limited capacity for languages other than English, and the services are not easily accessible or well-distributed geographically. As several interviewees pointed out, immigrants are perceived as essential to the Las Vegas economy because they are a source of labor, but they get little back from the community in terms of services and supports. This is compounded by geographic segregation. Most Latinx immigrants live in an area of roughly eight square miles in east Las Vegas and surrounding Clark County, which some described as disinvested neighborhoods marked by limited public transportation and sidewalks; limited access to health care, community centers, parks, recreational facilities; and some of the most underfunded schools in Nevada.

Inadequate infrastructure for services for immigrant communities may be partly because the Las Vegas metropolitan area is a relatively new destination for immigrants: most have settled there over the past 30 to 50 years (Singer 2015). As one interviewee explained, a relatively young immigrant community means that social capital and community resources are not as robust as they may be in communities with a longer history of immigration. Another interviewee commented that even though some immigrants have lived in Las Vegas for decades, the conditions for immigrants have not improved much over that time:

We have three generations of immigrants in this community who've gone without, so now we are dealing with generational poverty and generational disparities.

To fill this void, the Culinary Workers Union UNITE HERE Local 226 stepped up as an important resource for immigrant laborers by securing fair wages and free comprehensive health insurance and by providing health care, legal aid, and other supports to its members and their families. The union represents 60,000 hospitality workers in Nevada, many of whom work in Las Vegas casinos and hotels and of whom more than half are Latinx.¹¹ Three years ago, the union opened its own health care center

in east Las Vegas that provides primary care, urgent care, dental and vision care, and pharmacy services under one roof.¹² According to an interviewee from the union, the union opened the health center primarily because health care services are scarce in the area of town where most of its members live, and the center will help ensure that members and their families receive high-quality, culturally and linguistically effective care that is accessible at late or early hours.

Moreover, over the past decade, several health care and food assistance organizations have started working more intentionally with immigrant communities, such as by adding bilingual staff and providing information in several languages on websites or in handouts. Public agencies and local institutions have also made more recent efforts to better support immigrants. For example, the University of Nevada, Las Vegas has begun offering free legal and medical care services for immigrant families. But the consensus among our interviewees was that the growth of the immigrant population has greatly outpaced the growth in service providers, particularly providers that have adequate language capacity, and that many immigrants continue to be disconnected and underserved by mainstream safety-net services.

However, multiple interviewees suggested that some hard-to-reach immigrants may receive support from local churches and informal social groups known as clubs, which may be groups of young mothers or groups of individuals from the same country or town of origin. Interviewees also mentioned schools as an important, trusted resource for immigrant families. Indeed, one interviewee who works for the local school system reported that she has often been called upon by her students' parents for assistance, such as to translate homework instructions or to help parents fill out paperwork or access community resources. This interviewee also noted that bilingual public school staff are scarce, and the burden often falls on those few to advocate for immigrant parents.

Limited Coordination among Immigrant-Serving Entities

At the time of our interviews in spring of 2020, Nevada state or local governments or community-based organizations had not made a coordinated effort to communicate with immigrants about the public charge rule in Las Vegas, Clark County, or Nevada. Interviewees attributed this to the weak and decentralized infrastructure for immigrant supports and lack of natural leadership on this issue.

Only recently have more immigrant advocacy groups appeared, including several national organizations that set up offices in Nevada after the 2016 election to advocate for immigrants' social and economic inclusion. Many of these groups have offices in Las Vegas and focus on particular issues (such as voter activation or civic engagement) or immigrant populations (such as young immigrants protected under the Deferred Action for Childhood Arrivals policy, known as "dreamers"). Immigrant advocacy groups also organized to advocate for U visas (special visas for victims of crime and their family members)¹³ for about 120 undocumented workers who were victims of the Route 91 mass shooting in 2017 and who were turned away from services and victim supports after the shooting because of their immigration status and their limited English capabilities.¹⁴ Interviewees shared that because of limited funding and resources for immigrant populations, these immigrant advocacy organizations often compete for resources.

Service providers also look to the government to provide clear messaging but noted that local or state public agencies have not made a significant effort to respond to the public charge rule in a coordinated manner. Absent reliable content from local resources, some individual agencies have developed their own communication materials, although these do not appear to have been circulated broadly.¹⁵ Government agencies face the additional challenge of needing to reach out and build trust with immigrant communities in new ways. According to one interviewee,

There is a huge distrust in the federal government. The population as a whole, not just immigrants, doesn't understand the difference between the state and federal government. So that distrust bleeds into one another. We are trying hard to fight that.

Despite the existence of various public and private entities in Nevada working with and advocating on behalf of immigrant communities, no adequate structure seems to exist for coordination that would enable them to develop a fast response to shifting immigration policies. Interviews anticipated that the state's newly established Office for New Americans (ONA) could play a key role in coordinating the community response. ONA envisions its role as an orientation center within the community, acting as a one-stop shop to connect transplants and immigrants, regardless of their immigration status, to resources in the community. ONA was launched in fall 2019,¹⁶ so interviewees recognized that its recent creation and limited staff capacity is a barrier to acting quickly.

State and Local Policy Environment

Stronger immigrant advocacy efforts over the past 10 years, as well as greater representation of people of color and/or of immigrant backgrounds in the state assembly, have helped generate attention for Nevada immigrants' needs, particularly as federal immigration and enforcement policies have become more restrictive. In 2019, the state legislature passed two bipartisan bills supportive of immigrants: Senate Bill 538 established the ONA within the governor's office to serve as the liaison between state agencies and immigrant communities,¹⁷ and Assembly Bill 275 allows Nevada residents status to obtain professional and occupational licenses regardless of immigration and citizenship status.¹⁸

Several interviewees remarked that these bills are a promising sign that Nevada is striving to become a more welcoming state to immigrants, but they also noted that Las Vegas is rather conservative, and local elected officials largely avoid issues such as immigration, which some may consider a contentious topic. Given that, some of the immigration advocates we interviewed were cautiously optimistic about ONA's effectiveness in implementing the occupational licensing bill and pushing for additional immigrant-friendly legislation. During our interviews in early March, ONA was in the midst of hiring staff, refining its priorities, and meeting with state agency leaders and members of immigrant communities. But in the weeks that followed, the COVID-19 pandemic elevated the need for ONA to quickly become a trusted source of information for immigrants.

Local Efforts to Address Chilling Effects in Las Vegas

Local action across the public and nonprofit sectors to promote immigrant access to safety-net services has strengthened in Las Vegas in response to acute need and recognized barriers to access, but resource constraints are widely acknowledged. Most of the local response has been focused on information campaigns and messaging, although some alternative support resources have also been created or expanded to fill in the gaps in public program participation. Local organizations are using a two-pronged approach to information: first, provide messaging materials and information to service providers to better serve the community; second, directly communicate with immigrant families through informal networks and social media. There is some infrastructure for alternative services and supports outside of federal benefits programs for individuals who could be affected by the public charge rule, but these mostly predated the new rule to close service gaps around health care access. Interviewees noted that expanding service capacity is challenging, especially given the pandemic.

Providing Information

To mitigate chilling effects around benefits for immigrant communities, government and service providers interviewed in Las Vegas recognized the need for accessible, clear information. Information is needed both for immigrant communities and for staff at public agencies, health care providers, schools, food banks, and other entities that frequently interact with immigrant families. As noted, no coordinated local communication campaign exists, but a patchwork of activities led by individual organizations has attempted to get the message out. Efforts to provide more information about the rule appear to have been mostly ad hoc and organization specific and have been targeted at educating respective organizations or messaging their clients broadly.

Staff interviewed from local organizations in Las Vegas realized they needed to first educate themselves on the public charge rule and other key issues affecting immigrant access to the safety net. Public agencies, advocacy organizations, and service providers alike have turned to national organizations such as the Protecting Immigrant Families Campaign to stay up-to-date on the rule, and they have often repurposed resources from other cities. Some organizations have also called on trusted lawyers or legal aid organizations to provide trainings to staff. Interviewees expressed that training from legal partners was especially important, and they would like more such opportunities. One interviewee shared:

We do the trainings at the provider level—to staff and individuals who give guidance to immigrants. They have limited information and may be giving wrong information out. Our efforts are to give them the right information so they can pass that along to their clients.

Information efforts targeted at immigrant families have mostly been led by nonprofit community-based organizations that already have strong relationships with immigrant communities. Interviewees report that some immigrants are reaching out to trusted community organizations, such as advocacy organizations, service providers, or cultural affinity groups, for more information on the rule. In response, these organizations have tried to use limited resources and bandwidth to conduct know-your-

rights workshops, directly answer clients' ad-hoc questions, provide referrals to legal aid, or share other information. In one-on-one engagements with clients who have questions about the public charge rule, public agencies, service providers, and other community-based organizations must walk a fine line between informing and advising because the rule and how it may be applied in individual cases is so complicated, and questions remain about how implementation will work. As one interviewee said:

I feel like the unified message is that we don't really know how this will be enforced.

A common sentiment shared by interviewees was that these efforts were important but insufficient to address the scale of confusion and concern their communities' members were feeling. Interviewees noted that communication efforts are often conducted in both English and Spanish, but capacity for outreach in other languages is limited despite the significant presence of other immigrant communities.

Government agencies have also made some progress on messaging, although such efforts are small and have limited reach. Early in 2020, for the first time, the Division of Welfare and Social Services conducted direct outreach in the neighborhoods where immigrant families are concentrated by partnering with a local grocery store chain and setting up an information booth in a store located in a prominent immigrant community on a Saturday morning. At the time of our interviews in early March, Nevada Health Link, the state's health insurance exchange, was planning to host a public meeting in coordination with the Medicaid office, ONA, and legal aid providers to educate community-based organizations, immigration advocates, enrollment brokers, and the general public about the rule.¹⁹

Alternative Supports for Immigrant Families

Simply sharing information is clearly not sufficient to address the basic needs of immigrant communities who may be unwilling or unable to access mainstream safety-net programs because of eligibility rules, concerns about the public charge rule, lack of knowledge, or general mistrust of government. Despite increased need, few new resources in Las Vegas available to immigrant communities have been created. Interviewees largely attributed this to the general lack of resources for social programs in Nevada, but they also recognized that there is a need to better prioritize immigrant communities who represent a large and growing share of the region's population.

For health insurance and access to care, a few key resources are available in Las Vegas that predate the new public charge rule and current pandemic. As described, the Culinary Workers Union plays a pivotal role by providing health insurance and care to its members and their dependents, a total of over 130,000 Nevadans,²⁰ many of whom are immigrants. Moreover, the few community clinics that can serve uninsured individuals play a key role in meeting the health needs of immigrants, especially undocumented immigrants and those from multiple-status families, but only a few of those clinics are located in neighborhoods where immigrants are concentrated. Interviewees also noted that immigrant families rely on a network of private clinics or informal healers, although they shared that the quality and cost of care with such sources can be an issue.

For food and other basic needs, interviewees emphasized that the best strategy would be for mainstream programs to increase their outreach to immigrant communities rather than for new immigrant-specific programs or supports to arise. Mainstream organizations, such as food banks, housing organizations, and others, have the resources, infrastructure, and experience to help communities meet these basic needs. But they may need support and partnership from organizations trusted within immigrant communities to reach immigrants. This requires sharing appropriate information about eligibility, such as communicating that local food banks do not inquire about immigration status. Some interviewees noted, however, that eligibility considerations, such as local residency requirements for some food bank resources (i.e., requiring a picture ID or proof of residency for the federal emergency food assistance program) may prevent some immigrants from accessing food assistance. Easing barriers to programs is thus an important step to making mainstream programs accessible to immigrants. One recent change toward this end occurred in Las Vegas this year when the local school system opened their free meals program to all students. Although these mainstream programs do not focus on immigrant communities, interviewees and the community consider them valuable resources.

Emerging Challenges and Responses from the COVID-19 Pandemic

The Las Vegas economy, which is driven primarily by the hospitality and service industries, has been hit hard by the shutdown measures implemented to slow the spread of the novel coronavirus. The city's unemployment rate rose to 34 percent in April, which was twice the national average and the highest increase in unemployment rate among US cities.²¹ Given Las Vegas workers' concentration in those industries, many who have lost jobs or had to reduce their hours are immigrants or from immigrant families. The reluctance to accept any sort of assistance because of immigration concerns, even while some programs and services in Las Vegas are eliminating barriers to participation by lifting proof-of-residency requirements during the emergency, is particularly alarming because immigrant families may be disproportionately affected by financial hardships caused by the COVID-19 pandemic.²²

With the onset of the pandemic, interviewees reported that immigrants were most commonly worried whether receipt of the unemployment benefits and stimulus checks by any member of the family would subject them to a public charge determination. As one interviewee said, service providers have to constantly reassure clients that lawful immigration status is not required to access certain services they are being referred to. Providers were not aware whether concerns around the public charge rule had yet prevented some immigrants from getting testing or treatment for the virus. Although data on COVID-19 cases, hospitalizations, and deaths are not available by immigration status, a zip-code breakdown of COVID-19 cases released by Clark County indicates that the neighborhoods where Latinx immigrants are concentrated are among the most affected.²³

The COVID-19 pandemic has created an urgent need for more communication about health and safety and available assistance to immigrant families, and government agencies and nonprofit

organizations have started reaching out to immigrant communities in Las Vegas. For example, several immigrant advocacy groups have collaborated with the ONA to create a resource guide for Spanish-speaking immigrants.²⁴ The resource guide covers, among other essential information, questions related to the public charge rule. The guide was featured on the ONA's COVID-19 pandemic resource web page,²⁵ and ONA disseminated information to immigrant communities, including through public service announcements in Amharic, Vietnamese, Spanish, Tagalog, Mandarin, and English.²⁶

Interviewees from immigrant advocacy organizations emphasized that accessible translation of public health information and supports into multiple languages is urgently needed during the pandemic. Although state and local governments have made some attempts at translation, especially through ONA, interviewees noted that key resources such as the Nevada unemployment insurance application are not available in Spanish, and many other information products are not easily understood even in English. As a result, the Nevada Hispanic Legislative Caucus created a task force for Spanish translation of materials and outreach to Latinx communities. Nevertheless, the burden often falls on immigrant-serving organizations to translate and be trusted messengers of information from government agencies.²⁷ According to one interviewee:

A lot of what we do is take what has been put out and make it readable and also in Spanish so that workers know what is happening and can understand. That's something we spend a lot of time doing as trusted messenger in the community.

Some organizations have also tried creative solutions, such as advocacy and legal aid organizations that have conducted information sessions or live streams on popular social media pages. However, interviewees worry that the digital divide creates a barrier to getting information to people at home: families experiencing layoffs may be losing internet or phone service, and others may not be comfortable using technology. As one interviewee said:

Most of our clients don't have access to the computer or internet and they're hesitant to file citizenship virtually or on the phone. Most of them are waiting until we get back to the office again to file their applications. We aren't able to reach people through social media or any other alternatives.

In response to the COVID-19 pandemic, there have also been efforts to increase the capacity of and ease access to critical supports and resources. Immigrant advocacy groups worked with Nevada Governor Steve Sisolak to ensure that testing and treatment are available to everyone regardless of immigration status, but interviewees were not able to say whether that message is reaching immigrant families and whether they feel sufficiently reassured. To meet emergency demand during the pandemic, local food banks have temporarily lifted requirement for documentation of Nevada residency, which may remove barriers for some immigrant households. Further, food distribution sites have been set up at schools, and the Clark County School District established a program to provide internet and technology resources to students. However, one interviewee reported that some immigrant families have faced challenges accessing free internet service because the service provider requires a Social Security number or a cash deposit, and other families were disconnected from services they typically access through schools, such as clothing and free dental and eye exams.

During the economic fallout of the COVID-19 pandemic, the Culinary Workers Union has become a lifeline to its members, almost all of whom have been furloughed. The union's assistance has included securing continuous health insurance coverage, helping members apply for unemployment and access other benefits and resources, setting up a food pantry, disseminating critical information, and negotiating return-to-work conditions to safeguard workers' health and safety. Although the Culinary Workers Union resources are available to many immigrant families in Las Vegas, our interviewees acknowledged that for those outside the union's reach, the network of supports and services for families hurt by the shutdown does not meet the demand despite increased efforts to provide food and other assistance.

The pandemic has seemingly forced the ONA to quickly become a prominent liaison between public agencies and immigrant communities and has promoted greater collaboration across immigrant advocacy groups. Although critical information targeting immigration communities is being produced, including information about how the public charge rule affects access to resources such as COVID-19 testing and treatment, some interviewees worried that this information may not be reaching all immigrants, particularly those who had been disconnected from service organizations before the pandemic or who do not have internet access at home. Interviewees were concerned that many immigrants were left out of federal economic relief packages, and they were not sure whether chilling effects would continue amid the ongoing financial struggles, heightened by the pandemic, that many immigrant families in Las Vegas face.

Lessons Learned for Serving Immigrant Communities

The experiences of service providers and government agencies in Las Vegas are probably not unique among entities and organizations working with immigrant communities around the US, especially in cities with a new or growing immigrant population. At a time of acute need for services and supports given the pandemic, and given barriers to access such as chilling effects around the public charge rule, our findings reaffirm several lessons about effectively serving immigrant communities.

First, improved messaging and clear information about the public charge rule are urgently needed. Particularly because many immigrants live in multiple-status families, our interviews found that to mitigate chilling effects, families need more clarity about who is affected, which benefits the rule affects, and how the rule is being implemented. Effective messaging campaigns require clear information, reliable sources such as government agencies, and trusted messengers in service or advocacy community partners. Absent coordination from the federal government, messaging efforts would require a clear leader or organizing entity to advance a unified campaign. One interviewee described the need for unified, coordinated communication campaign as such:

So far what we know, because it's not our first time working through a confusing policy, you need to work with organizations that speak directly with consumers. Without collaboration across all organizations, without a universal message, we would all be scrambling in the dark.

Second, strategic coordination is required across public agencies, community-based organizations, and other entities (such as local consulates) working with or on behalf of immigrant families to mount a cohesive and compelling response. In Las Vegas, this collaboration happens mostly informally, based on personal relationships between staff at different organizations. However, interviewees emphasized the need for leadership and a more formalized structure to promote coordination on this issue. Immigrants should be well represented in any such collaboration so their communities' needs can be understood and addressed in a culturally appropriate manner. Especially in communities with limited infrastructure to serve immigrants and a nascent focus on immigrant issues such as Las Vegas, pooling government and nonprofit organization resources and capacities together under one entity (e.g., the ONA) could be an effective and efficient way to contact and educate immigrants about the public charge rule and other issues.

Third, although access to information is crucial, the complexities of the public charge rule and other immigration laws mean that a robust legal aid network that has the resources and cultural and linguistic capacity to serve immigrants is necessary. Although some questions can be answered with generic information or question-and-answer sessions, the complexities of the public charge rule mean that many individuals will need one-on-one legal consultation. A "triage system" may be necessary, whereby immigrants who will not be affected by the revised public charge rule, such as green card holders, naturalized citizens, or refugees, can receive standard information, and other immigrants would be advised to consult an attorney for personalized advice. Although such an approach may reduce the need for attorney consultations, legal capacity remains a challenge in Las Vegas. A few organizations and private attorneys provide services to immigrant communities, but supply is not great enough to meet demand, especially for low-cost services.

Finally, the bedrock for effective and inclusive outreach to immigrant communities goes beyond language access or effective communication and requires building authentic trust. Even when government agencies and mainstream service organizations in Las Vegas have made efforts to better target immigrants by improving language accessibility, many recognized the need to gain the trust of the immigrant community and prove themselves to be safe spaces where immigrants can come without fear or hesitation for support. Interviewees emphasized that trust is built over time by making authentic commitments and by establishing productive relationships with other trusted individuals and organizations. In many cases, building trust requires appropriately representing immigrant communities within an organization's staff. Different organizations will likely hold the trust of different immigrant communities and populations, meaning a networked approach might be necessary. However, interviewees also noted that it is difficult for local organizations to build trust with immigrants if the overall federal, state, and local policy environment is less than supportive.

Experiences from Las Vegas perhaps resonate with those of other emerging immigrant destinations around the US that may face challenges being responsive to the needs of growing immigrant populations. As a new immigrant destination, Las Vegas's organizations and capacity to serve immigrant communities have expanded but are still limited. It is positive that public benefit agencies, local institutions, and mainstream service providers are increasingly making efforts to better serve

immigrants despite limited resources to go around. But improving access to mainstream programs and resources, whether public or private, requires effectively addressing concerns that may keep many immigrant families from availing themselves of the available assistance, such as the public charge rule. The COVID-19 pandemic displays the urgent need to remove such barriers and may prove to be a catalyst for better coordination across public and private entities to disseminate critical information and resources to immigrant communities in Las Vegas.

Notes

- ¹ Sara McTarnaghan, Hamutal Bernstein, Carolyn Vilter, and Adaeze Okoli, “Including Immigrants in State and Local Support Responses during the COVID-19 Pandemic,” *Urban Wire*, July 6, 2020.
- ² Inadmissibility on Public Charge Grounds, 84 Fed. Reg. 41292 (Aug. 14, 2019).
- ³ Adam Liptak, “Supreme Court Allows Trump’s Wealth Test for Green Cards,” *New York Times*, January 27, 2020. The Supreme Court ruling on the national injunction in January did not apply to Illinois, which had a separate case before the court that was ruled on in February.
- ⁴ See the Protecting Immigrant Families website at <https://protectingimmigrantfamilies.org/>.
- ⁵ Green card holders must wait five years before becoming eligible for major federal programs, and temporary visa holders and undocumented immigrants are not eligible at all, although the rules vary by state, immigration status, age, and income (Capps and Gelatt 2020). See “Table: Medical Assistance Programs for Immigrants in Various States,” National Immigration Law Center, last revised June 2020, <https://www.nilc.org/issues/health-care/medical-assistance-various-states/>.
- ⁶ Immigrant families often include various immigration, residency, and citizenship statuses, such as US-born and naturalized citizens, green card holders, and people who lack permanent residence. These families are often called mixed- or multiple-status families. We use “multiple-status” because “mixed-status” most commonly refers specifically to households including undocumented immigrants (Passel and Cohn 2009).
- ⁷ “Health Coverage of Immigrants,” Kaiser Family Foundation, March 18, 2020, <https://www.kff.org/disparities-policy/fact-sheet/health-coverage-of-immigrants/>.
- ⁸ Kao-Ping Chua and Rena M. Conti, “Despite the Families First Coronavirus Response Act, COVID-19 Evaluation Is Not Necessarily Free,” *Health Affairs* (blog), Health Affairs, April 17, 2020.
- ⁹ “Understanding the Impact of Key Provisions of COVID-19 Relief Bills on Immigrant Communities,” National Immigration Law Center, last updated May 27, 2020, <https://www.nilc.org/issues/economic-support/impact-of-covid19-relief-bills-on-immigrant-communities/>.
- ¹⁰ We conducted a similar study focused on Houston. Both city case studies were originally part of a project to compare community responses to the public charge rule across five cities nationally. However, because of the COVID-19 public health emergency, we were unable to complete data collection in the remaining three cities. For the Houston study, see Gonzalez, Bernstein, et al. (2020).
- ¹¹ “Our Union,” Culinary Workers Union Local 226, accessed July 6, 2020, <https://www.culinaryunion226.org/union>.
- ¹² Mick Akers, “Culinary Health Center Opens Today in East Valley,” *Las Vegas Sun*, June 15, 2017.
- ¹³ “Victims of Criminal Activity: U Nonimmigrant Status,” US Citizenship and Immigration Services, last updated June 12, 2018, <https://www.uscis.gov/humanitarian/victims-human-trafficking-and-other-crimes/victims-criminal-activity-u-nonimmigrant-status>.
- ¹⁴ Luz Gray, “Undocumented Survivors of 1 October Hope for Crime Victim Visa as Options for Legal Status Shrink,” *Nevada Independent*, April 18, 2018, <https://thenevadaindependent.com/article/undocumented-survivors-of-october-1-hope-for-crime-victim-visa-as-options-for-legal-status-shrink>.

- ¹⁵ For example, see public charge information at the Nevada Health Link state-based health insurance exchange, website, <https://www.nevadahealthlink.com/public-charge/>; and this flyer: “Final Rule on Public Charge Ground of Inadmissibility,” Las Vegas Department of Health and Human Services, Division of Welfare and Social Services, accessed July 6, 2020, <https://d1q4hslcl8rmbx.cloudfront.net/assets/uploads/2019/10/USCIS-Public-Charge-Flyer-Final-Rule.pdf>.
- ¹⁶ “Nevada Gov. Steve Sisolak Names Director of New Office for New Americans,” *Nevada Appeal*, September 30, 2019.
- ¹⁷ S.B. 538, Nevada State Assembly 80th session (2019) <https://www.leg.state.nv.us/Session/80th2019/Bills/SB/SB538.pdf>.
- ¹⁸ A.B. 275, Nevada State Assembly 80th session (2019) <https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6498/Text>.
- ¹⁹ However, we cannot confirm if this meeting ever took place because the Governor of Nevada declared the state of emergency shortly thereafter and state agencies as well as service providers and advocates shifted their attention and resources to pandemic-related efforts.
- ²⁰ “Culinary Health Fund,” Culinary Workers Union Local 226, accessed July 6, 2020, <https://www.culinaryunion226.org/members/benefits/culinary-health-fund>.
- ²¹ Eli Segall, “Las Vegas Unemployment Rate Tops 33 Percent in April,” *Las Vegas Review-Journal*, May 27, 2020; Adam McCann, “Cities Whose Unemployment Rates Are Bouncing Back Most,” *WalletHub*, July 1, 2020, <https://wallethub.com/edu/cities-with-the-biggest-increases-in-unemployment-rates-due-to-covid-19/73647/>.
- ²² Hamutal Bernstein, Michael Karpman, Dulce Gonzalez, and Stephen Zuckerman, “Immigrant Families Hit Hard by the Pandemic May Be Afraid to Receive the Help They Need,” *Urban Wire*, May 19, 2020.
- ²³ “Number of COVID-19 Cases by Zip Code in Clark County (04.27.2020),” Southern Nevada Health District, accessed July 6, 2020, <http://media.southernnevadahealthdistrict.org/download/COVID-19/updates/20200427-COVID19-Clark-by-Zip-Code.pdf>.
- ²⁴ “Nevada Immigrant Resource Guide,” UndocuCouncil, accessed July 6, 2020, <http://ona.nv.gov/uploadedFiles/onanvgov/content/Resources/NevadaImmigrantResourceGuide.pdf>.
- ²⁵ “COVID-19/Coronavirus Resource for Immigrants and Refugees,” Nevada Governor’s Office for New Americans, accessed July 6, 2020, <http://ona.nv.gov/Resources/ResourceHome/>.
- ²⁶ Carolyn Williams, “Governor’s Office for New Americans Extends Outreach with Multilingual PSA,” *8 News Now Las Vegas*, April 6, 2020.
- ²⁷ April Corbin Girnus, “Nonprofits Step In as the Trusted Messengers for Communities Left Behind,” *Nevada Current*, April 3, 2020.

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