

New Trump Proposal Would Target Low-Income Immigrants and Force Many to Forego Benefits They Need

The Trump administration recently proposed changes to the “public charge” policy to make it much harder for immigrants who are lawfully in the U.S. to remain here—and for immigrants seeking legal entry to come here. This rule will hurt hardworking families in the District and around the country. This is yet another attack on immigrant families from the Trump administration, like family separation and abolition of Temporary Protected Status for families who have been here for decades.

What Is Public Charge?

When an immigrant applies for a visa or green card, one of the factors considered is whether they are likely to become a “public charge,” someone who may become dependent on the government for subsistence. This applies to legal residents already living and working in our communities.

Proposed Changes to Public Charge Target Immigrants with Low Incomes

The new rule broadens the situations in which an immigrant can be deemed a “public charge.” Under current rules, a “public charge” designation applies to a small group of people using certain public benefits, primarily those using cash assistance or government-funded long-term care institutions.

The Trump proposal expands the list of benefits to the detriment of hardworking individuals who use health, medical, or housing services to supplement their income. For instance, someone using Medicaid because their employer does not supply health benefits could now be considered a “public charge.”

With the new rule, a person could be considered a “public charge” even if they have never used public benefits before, but are deemed likely to in the future. This gives immigration officials sweeping authority to determine peoples’ fates. The primary way to avoid a “public charge” designation is by earning over 250 percent of the poverty level. This rule is clearly intended to target low-earning immigrants, even those who have been working and living in the U.S. for years.

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Effects on Immigrant Families Would Be Staggering

Under the proposed rules, 32 percent of non-citizens in the District could be considered a “public charge” and denied permanent residency, up from just one percent under current rules.¹ Immigrants of color are especially at risk. “An immigration official may assume that any individual person of color is likelier to have low income, and might deem them a ‘public charge’ without fairly considering all factors,”² according to the Center on Budget and Policy Priorities.

The confusion and fear resulting from the new public charge rule would create a chilling effect, leading people to cancel much-needed public benefits they are currently using. Even people who would not be targeted by this rule, including citizens with family members who are non-citizens, may give up benefits out of concern about the effect on their family members’ status. As many as 44,000 people in the District might cancel a benefit to protect a family member.³ Some 15,000 DC children are at risk of losing needed services because they live with someone on a benefit.⁴ Residents also may give up benefits from local DC programs, which aren’t actually considered under public charge, out of fear.

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The Economic Ripple Effects Would Impact Entire Communities

This proposal impacts entire communities. The benefits that immigrants may stop collecting, for fear of being considered a “public charge,” help the local economy. If 25 percent of eligible immigrants give up benefits like SNAP, the District would lose \$43 million in federal funds, with ripple effects adding up to \$84 million and hundreds of jobs lost.⁵ The proposed rule would also put a strain on the District government and nonprofits that would have to increase capacity to assist people switching off federal benefits.

What Can You Do To Help?

It is still possible to stop this detrimental rule. Comments opposing the rule change can be submitted through December 10 at www.regulations.gov. [Comment templates are available on the DCFPI website](#). How you live your life and contribute to your community should define you in this country, not how much money you have or how you look. Please speak up to protect families!

1 Figure 1 and 2, Smaller States Data. Fiscal Policy Institute, NY.

2 Immigration Officials Given Extremely Broad Authority Under Trump Administration’s Proposed Rule, Shelby Gonzales, Center on Budget and Policy Priorities, October 10, 2018.

3 Data for Smaller States, Center on Budget and Policy Priorities spreadsheet

4 Ibid.

5 Ibid.