

Trump Administration's "Public Charge" Rule is an Assault on the American Dream and Our Nation's Values

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Making our friends and neighbors choose between their families' wellbeing and the ability to follow a legal immigration process is beneath the dignity of a great nation.

Background

Earlier this week, the Trump Administration released a new draft regulation impacting people who are seeking to immigrate legally into the United States. Under current law, certain individuals seeking residency in the United States may be denied visa status, including permanent resident status, if they are deemed to be likely to become a "public charge." Under current regulation, a visa applicant or someone applying to adjust their may be deemed a public charge if they are or may become "primarily dependent on the government for subsistence, as demonstrated by either the receipt of public cash assistance for income maintenance or institutionalization for long-term care at government expense."

Under the new proposed rule, the "public charge" definition would be dramatically broadened to make it harder for immigrants following all legal requirements to enter the country and advance through the immigration process. The proposed rule would deny entry or permanent legal status

for immigrants who may receive one or more public benefits including, for the first time, Medicaid, and Medicare Part D low-income subsidies. The administration also is considering adding the Children's Health Insurance Program to the list of programs that would count toward a public charge determination.

Further, the new rule would discriminate against people with pre-existing conditions. Specifically, regardless of enrollment in any particular program or being uninsured, low-income immigrants with a medical condition that may require extensive treatment and are unable to cover the cost of such treatment could be denied permanent legal status.

Potentially Affected Families

According to the Kaiser Family Foundation, in 2016, there were 23 million noncitizens residing in the U.S. One quarter of children in the US—approximately 19 million children—live with an immigrant parent. 86 percent of these children are citizens. In 2016, 1.2 million people attained permanent resident status.

Impact of Rule on Families, Communities, and Society

This new rule isn't simply a technical change to US immigration policy. It represents the introduction of a policy that continues the re-writing of core American values—a country that welcomes hard-working people who want to improve their lives and contribute to our nation—to a country that takes the boot straps away from vulnerable families. This proposal would change core public policy designed to help immigrants become fully actualized members of society by making immigrants choose between the health of their children and other family members and their ability to progress through the immigration process.

Conservatives have said they just want immigrants to “follow the rules” of the United States. The families affected by this rule are entering the country legally, finding employment—often in low-wage, strenuous, and dangerous jobs—and paying their taxes. So often these difficult jobs offer little or no health or other benefits. In such instances, public programs represent a life-line for these families to ensure the health and well-being of their children and other family members.

This rule is moving the goal posts on families just trying to improve their lives. Under this rule:

- » Parents are asked to make an agonizing choice: keep their children healthy by enrolling them in health coverage and risk being separated, or forgoing needed health care to keep their families together.
- » Employers will have a much harder time finding required labor to meet the needs of our growing economy.
- » Low- and moderate-income seniors who have been paying into Social Security like all other taxpayers would not be able access Medicare Part D subsidies.
- » All Americans are affected when families are too afraid to seek treatment for their medical conditions—including increased costs to our health care system due to delayed care.

Many in our country were raised in religious and spiritual traditions that insist it is the role of everyone to take care of the most vulnerable among us. This rule fails that basic test of compassion.

This rule isn't just an ill-conceived policy that will harm our country's economy, tear apart thriving communities, and increase costs on our already expensive health care system. It is an affront to the very values we hold most dear: family, opportunity, freedom. America is bigger, stronger, and kinder than this small-minded and callous proposal.