

## NC Justice Center - Changes To “Public Charge” Rule Penalize Low Income Immigrants

By Administrator

Tuesday, 25 September 2018 09:22 - Last Updated Tuesday, 25 September 2018 09:25

---

The White House finally released its “public charge” draft rule. The proposed rule includes mandates and requirements that undermine our current family-based immigration system, using executive rules to penalize immigrants working low-wage jobs and shifts our immigration policies to benefit rich immigrants over hard-working immigrant families. The proposal does not include several of the elements included in a draft released earlier this year that advocates feared would have radically changed existing immigration policies. The draft stated if U.S.-born children or other family members use public benefits for which they qualify, the government would use it against an immigrant in determining whether they could obtain lawful immigration status.

Regardless of whether they use any public benefits, immigrants can still be penalized under the latest proposed rule simply for having an income under 125 percent of the federal poverty line. The rule makes it clear that there will be broader, additional scrutiny of an immigrant’s economic situation, considering their credit history and scores, or lack thereof.

Not only do such changes put money over family and the wealthy ahead of working individuals, they also fail to recognize the skills of workers with low incomes across the spectrum. Caregivers and parents who stay at home with their children will not be recognized for their critical work – under the rule’s parameters, they have no official work history and therefore are unacknowledged as contributing to their household. The proposal penalizes the elderly, sick, or individuals with disabilities for being physically unable to work.

Even if an immigrant or their family members have never accessed a single benefit, they can still have their application for a green card rejected based simply on the fact that they live in or close to poverty. Under the proposed rule even if an immigrant has a sponsor – an “affidavit of support,” which is considered as one factor in the totality of circumstances test – they could still be rejected. Immigrants in our state who work hard every day in agriculture, construction, caregiving, and hospitality will be penalized under this rule just because they don’t earn a living wage.

Taken together, these changes are an extension of the Trump Administration’s anti-immigrant, anti-working families policies that seek to tear families apart. It’s clear this administration is continuing its efforts to punish these communities and dismantle the family-based immigration system as a whole with a rule that disproportionately affects people of color. President Trump continues to divide our nation while he guts schools, health care, and Social Security, and distracts us from a tax plan that gives trillions to corporations and the rich.

## **NC Justice Center - Changes To “Public Charge” Rule Penalize Low Income Immigrants**

By Administrator

Tuesday, 25 September 2018 09:22 - Last Updated Tuesday, 25 September 2018 09:25

---

We have joined hands — native born and immigrant alike — when Trump has gone too far, most recently to fight back against his cruel child separation policy. Instead of penalizing individuals because of their income, we should be focusing on keeping families together.