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Proposed Public Charge Rule Change Would Harm Families In U.S. And Maine.

PORTLAND, MAINE—On Saturday, The Department of Homeland Security (DHS) announced a proposed rule that will dramatically redefine long-standing law and cause drastic cuts to immediate family immigration to the U.S.

Federal immigration law has long required that immigrants not depend on public benefits after immigrating. In 1996, the law was revised to require U.S. citizens and permanent residents to prove their ability to support their immigrant immediate family members, and also made most immigrants ineligible for federal public safety net programs for their first five years here.

Immigrating immediate family members stabilize their U.S. families, bolster family income, and contribute to our workforce, tax base, and our economy. Multiple studies establish that immigrants use public benefits at lower rates than, and participate in the labor force at higher rates than native-born U.S. citizens.

Despite this, the Trump administration takes aim through the new proposed public charge rule change at a phantom problem, supposedly to improve immigrant “self-reliance.” This rule redefines how the government will assess an immigrant’s ability to make it in this country, essentially saying the door is open only to those who are highly educated, already fluent in English, already working, who already have private health insurance, and have significant assets and resources. The administration can offer certain immigrants who fall below this new high bar the chance to “pay to play” by posting a bond of at least \$10,000, an amount out of reach for most low to middle income families.

This rule will cause a dramatic decrease in family based immigration, even though after getting residency, the immigrating family member would be able to work and increase the family income and the family’s stability and future prospects. “It is disappointing to see the Administration take yet another action that clearly attacks the value of immigrants in our society and in Maine who may not be wealthy and advantaged but who work hard for a bright future. This rule change would undermine efforts of our member organizations to improve the lives of immigrants in Maine,” said Mufalo Chitam, Executive Director of Maine Immigrants’ Rights Coalition.

The new rule will also look at use of public benefits by the immigrant’s U.S. citizen spouse or parent, including benefits available to full-time workers whose incomes don’t provide a living wage, such as SNAP (food stamps), Medicaid (with limited exceptions), rental assistance and public housing programs, as well as cash benefits such as Temporary Assistance for Needy Families (TANF) or for long term institutional care. Benefits for elderly and disabled would also be examined, including SSI and Medicare Part D subsidies for potentially lifesaving prescription drugs. This is a vast increase in the number of government programs that count against an immigrant when applying for a visa or green card. Rumors preceding the new rule have already resulted in U.S. citizen and permanent residents being afraid to sign their U.S. citizen children up for SNAP or Medicaid out of fear of causing the denial of their immigrant family member’s green card. Maine families and children will be less healthy and safe because of this rule

The proposed rule cannot take effect until the Administration reviews and responds to public comment. During the upcoming 60-day comment period, organizations and individuals may submit their questions and comments about the proposed rule to the Department of Homeland Security. To learn more about the proposed rule, visit protectingimmigrantfamilies.org

“The proposal is reckless, deeply unfair, and inconsistent with core American values. It is a massive backdoor change to decades of immigration law. It places wealth over family, denying ordinary working families a place in America. And it explicitly places a priority on well-off families and ignores families who have waited years to be reunited” said Olivia Golden, executive director of the Center for Law and Social Policy.

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MIRC represents 58 -member organizations including immigrant constituency groups, advocacy groups, direct service organizations, grassroots community organizations and all who are creating programs and policies reflecting their values and commitment to immigrant inclusion and integration. Our mission is to improve the legal, social and economic conditions experienced by Maine's immigrants – enhancing their lives while strengthening Maine – through advocacy, information sharing and collaboration both through and among our member organizations.