

Trump's latest attack on immigrant families: An expanded "public charge" test

The Trump administration is preparing to issue a federal rule that threatens access to basic needs programs—like food, medical, and housing assistance—for millions of immigrant families in New Mexico and nationwide.

What is the public charge test now?

The "public charge" test identifies people who might depend on government benefits like Temporary Assistance for Needy Families, Supplemental Security Income, and General Assistance. If the government determines someone is likely to become a "public charge," it can deny admission to the U.S. or refuse an application for lawful permanent residency. The Trump administration wants to drastically expand the list of programs included in public charge determination to those like Medicaid and SNAP, including benefits received by U.S. citizen children.

Who does the public charge test apply to?

Immigrants seeking entry into the U.S. or to become Legal Permanent Residents (LPRs) or "green card" holders, mainly through family-based petitions. The public charge test does NOT apply to: LPRs applying for U.S. citizenship; refugees, asylees, survivors of trafficking, self-petitioners under the Violence Against Women Act, people applying for or re-registering for Temporary Protected Status, and other categories of noncitizens.

Help us resist!

- Speak out against the new proposed public charge test
- Submit comments when the new proposed rule is released
- Gather stories about how immigrant families will be impacted: <https://action.nilc.org/page/s/protectfamilies-stories>
- Add your name and/or organization to a list of New Mexicans opposed to the changes: <http://ow.ly/332L30kF15w>

The proposed changes to the public charge test

- Dramatically expands the types of public assistance that are taken into consideration
- Includes public benefits used by family members and U.S. citizen children when making a public charge determination
- Defines "public charge" as someone likely to use any of these programs at any time

Public benefits currently considered:

- Temporary Assistance for Needy Families (TANF)
- Supplemental Security Income (SSI)
- General Assistance (GA)
- Institutionalization for long-term care at government expense

Public benefits added in new rule:

- Affordable Care Act/Obamacare
- (federal subsidies/ tax credits)
- Earned Income Tax Credits (EITC)
- Food Stamps (SNAP program)
- Women, Infants and Children program (WIC)
- Medicaid (including mothers and children)
- Housing assistance
- Energy assistance benefits

How will this harm New Mexican families?

- Increases fear, anxiety, and confusion in immigrant communities
- Will cause parents and children to forgo healthcare, food, and housing for fear of being targeted for deportation, putting them at greater risk of falling into poverty
- Effectively creates an income test to get a green card
- Threatens New Mexico's economy and the health of everyone who lives here