

# How the “Public Charge” Proposal Would Harm Women & Families and What You Can Do To Stop It

November 2, 2018



**NATIONAL LATINA  
INSTITUTE** FOR  
REPRODUCTIVE HEALTH  
*Salud | Dignidad | Justicia*



**napawf**  
NATIONAL ASIAN PACIFIC AMERICAN WOMEN'S FORUM

**voice**  
IN OUR OWN  
National Black  
Women's  
Reproductive Justice

**NATIONAL  
WOMEN'S  
LAW CENTER**  
EXPANDING THE POSSIBILITIES

# Agenda

- Public charge overview
- What the proposed rule would change
- Harm to women and families
- Messaging
- How to take action
- Questions from the audience
- Next steps

# What is “public charge”?

- Inadmissibility determination
- Current Definition:
  - A person who is likely to become primarily dependent on the government for subsistence
- Totality of circumstances
- Only 2 categories of benefits currently considered in public charge test:
  - Cash assistance (e.g. SSI and TANF)
  - Government-funded long-term institutional care

# When does the "public charge" test apply?

- Applies to those seeking:
  - Admission to the US
  - Extension/change of non-immigrant visa status
  - Adjustment to Lawful Permanent Resident status (LPR/green card)
- Does **NOT** apply to refugees, asylees, survivors of domestic violence, other protected groups, or during naturalization process

# Timeline: proposed rule to change "public charge" test

- NPRM published in federal register on October 10<sup>th</sup>
- 60 day comment period has begun
- Deadline to comment is **December 10**
- DHS will review and consider all comments
- Final rule published in Federal Register
- Rule becomes effective at least 60 days after publication
- This is a *\*proposed\** rule, not yet final!

# How would this proposed rule change current policy?

- **Dramatically expands the types of assistance considered**
  - SNAP
  - Non-emergency Medicaid
  - Housing assistance
  - Medicare Part D
- **Introduces an unprecedented income test (125% of FPL/250% of FPL)**
- **Adds characteristics** that would be considered negatively
  - Age (under 18 or above 60)
  - Disability
  - English proficiency
  - Household size

# Specific harms to women, children, and families

- Who is being targeted
- Why this is particularly harmful for women's health
- How this rule would undermine employment
- How this would impact children, families, and communities

# Why this matters

- Chilling effect has already harmed access
- Millions live in household w/family member on public benefits
  - 3.8 million AAPI immigrants
  - 10.1 Hispanic immigrants
- Clear attack on immigrant women's autonomy



# Messaging: A Destructive Regulation

- **Building on the traumatic separation of families at the border, the Trump administration wants to:**
  - Block immigrant families from having a permanent, secure future in the United States; and
  - Scare them away from seeking access to health care, nutrition, and housing programs.

# Messaging: Favors the Wealthy

- **Our lives should be defined by how we contribute to our communities, not by what we look like or how much money we have.**
  - If this regulation moves forward, only the wealthiest immigrants could build a future in the United States.
  - This regulation is part of the Trump administration's ongoing effort to divide the country and vilify immigrants.

# Messaging: Puts Millions at Risk

- **The proposed regulation would make—and has already made—immigrant families afraid to seek programs that support their basic needs.**
  - The proposal could prevent immigrants from using the programs their tax dollars help support, preventing access to healthy, nutritious food and secure housing.
  - Because one in four American children have at least one immigrant parent, this could impact millions.
  - It would make us a sicker, poorer, and hungrier nation.

# Make your voice heard

- Get the information you need at <https://protectingimmigrantfamilies.org/>.
- Speak out publicly against the proposed rule on social media using #ProtectFamilies;
- Submit comments before the December 10th deadline; and
- Contact your representatives and senators to tell them to publicly oppose this rule.

# Who should comment?

- **Everyone!** If you have a perspective, experience, or expertise, your voice is important!
  - Individuals
  - Organizations
  - Community providers like nurses and teachers
  - Local, state or national elected officials
  - Local, state or federal officials who run programs (like Medicaid, or SNAP)

# How to submit comments

- On federal comment portal at [www.Regulations.gov](http://www.Regulations.gov)
- Through a comment microsite
  - [www.Protectingimmigrantfamilies.org](http://www.Protectingimmigrantfamilies.org)
  - [www.nwlc.org](http://www.nwlc.org)
- By mail/in person
  - Address to: Samantha Deshommes, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, 20 Massachusetts Avenue NW, Washington, DC 20529-2140

# Comment best practices

- **DO's**

- Write comments in your own words.
- Submit your own comments.
- If you have expertise, experience, or credibility in an issue area or with a community, say so.
- Provide translations of non-English comments.

- **DON'Ts**

- Don't suggest corrective language.
- Don't sign onto comments from someone else.

# Engagement & digital strategies

- **Social media**
  - #ProtectFamilies
- **Engaging your elected representatives**
- **Theme weeks:**
  - Children & education: **Oct. 22**
  - Health, mental health, seniors and disabilities: **Oct. 29**
  - Open: **Nov. 5**
  - Faith, Race, Business: **Nov. 12**
  - Poverty, Hunger, Housing: **Nov. 19**
  - Women, LGBTQ, Progressives, and Labor: **Nov. 26**
  - Comment last call! **Dec 3**



**Questions?**

# Next steps

- **Remember:** The deadline to submit comments is December 10
  - *Individuals:* use microsite
  - *Organizations:* Email a presenter for more information
- Join the Spanish-language FB live on Nov. 9 at 2 pm
- Join the **Protecting Immigrant Families** campaign to get updates and ways to engage:  
[www.protectingimmigrantfamilies.org](http://www.protectingimmigrantfamilies.org)
- **Women, LGBTQ, Progressives, and Labor theme week:**  
Nov. 26

# For More Information

## Resources:

- <http://nwlc.org>
- <https://www.napawf.org/publiccharge.html>
- <http://latinainstitute.org/en/campaigns>
- <http://blackrj.org/>

## Contact us!

- Kelli Garcia, [kgarcia@nwlc.org](mailto:kgarcia@nwlc.org)
- Yesenia Chavez, [yesenia@latinainstitute.org](mailto:yesenia@latinainstitute.org)
- Jaclyn Dean, [jdean@napawf.org](mailto:jdean@napawf.org)
- Natasha Chabria, [natasha@blackrj.org](mailto:natasha@blackrj.org)
- Jenalyn D. Sotto, [jsotto@nwlc.org](mailto:jsotto@nwlc.org)
- Diali Avila, [davila@nwlc.org](mailto:davila@nwlc.org)
- Amy Matsui, [amatsui@nwlc.org](mailto:amatsui@nwlc.org)