



LAWYERS' COMMITTEE
FOR CIVIL RIGHTS AND
ECONOMIC JUSTICE

1968 - 2018 | CELEBRATING

50

YEARS

Statement in Response to Trump Administration's Public Assistance Proposal

This weekend, the Trump Administration announced that immigrants who participate in public assistance programs will likely face significant barriers in securing immigration protection and relief. This proposed policy is unconstitutional. It does not reflect American values and is out of touch with the lived experience of working class families across the country.

Announced on Hispanic Heritage Month, the proposed changes are part-and-parcel of an unprecedented and thinly-veiled federal attack on immigrants of color. This comes on the heels of dismantling DACA and TPS, and separating children from their parents at the border.

The proposed policy is unconstitutional because the federal government is using public assistance as a proxy for race.

It will also create an unprecedented financial litmus test to qualify for immigration protection and relief. Never before have green cards been available only to the highest bidders. This is far beyond anything contemplated by Congress and the American people.

In fact, we already have strict federal laws in place to screen for immigrants who will likely become a "public charge." Under Section 212(a)(4) of the Immigration and Nationality Act (INA), an immigrant is inadmissible "at the time of application for admission or adjustment of status, [if an immigrant] is likely at any time to become a public charge." For more information about the existing "public charge" rules please visit U.S. Citizenship and Immigration Services at <https://www.uscis.gov/greencard/public-charge>.

Our existing laws work and the proposed policy changes are unnecessary.

The proposed policy is cruel because it will penalize hardworking families who experience even a brief period of hardship. In tough times, families and children need access to life-saving programs and services. But the Trump Administration will now penalize families and children who participate, however briefly, in a wide-range of programs such as Medicaid Part D, a prescription drug program for the elderly and disabled; food stamps, including the Supplemental Nutrition Assistance Program (SNAP); and housing subsidies, including heating assistance and Section 8 vouchers.

In Massachusetts, a state with one of the most comprehensive social safety nets in the country, immigrants who benefit from our protections and robust health coverage will now be penalized by the Trump Administration. **Immigrants will be punished for participating in programs that are completely lawful under federal and state law.** In this manner, immigrants in Massachusetts and other progressive states will be unfairly and disproportionately harmed by the proposed changes.

The proposed policy change is already producing a profound chilling effect. **Families are scared. They are foregoing life-saving services to qualify for immigration protection and relief.** It is cruel to make a family choose between putting food on the table or getting a green card. It is inhumane to make a family choose between staying healthy or securing immigration protection.

This is nothing short of a federal assault on the dignity and survival of working class families and children.

The Lawyers' Committee for Civil Rights and Economic Justice filed the first lawsuits in the country against the Trump Administration to protect sanctuary cities; to save TPS on behalf of Haitian and Central American immigrants; and to block immigration arrests in courthouses.