

Use your voice to protect immigrant families today



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ACTION ALERT

Proposed Changes Will Hurt Families, Communities

Yesterday, the Federal Office of Management and Budget (OMB) published for public comment [proposed changes to the "public charge" rules](#) that will effectively overhaul our nation's immigration system to restrict immigration access based on income. The proposed rules target immigrants legally seeking permanent resident status in the U.S. forcing them to choose between family unity and their ability to access basic needs such as food, shelter and health care.

What is "public charge"? "Public charge" is a longstanding immigration rule which allows the government to deny entry or permanent residency if they determine that immigrant is likely to become primarily dependent on the government for financial support. For decades, the only public benefits considered under public charge have been cash assistance and long-term institutional medical care at the government's expense.

What are the proposed changes? Under the new rule, the list of public benefit programs that can be considered is radically expanded to include the following vital assistance programs: Non-emergency Medicaid (with some exceptions), Supplemental Nutrition Assistance Program (SNAP), Medicare Part D Low Income Subsidy, and housing assistance like Section 8 and Public Housing

The draft also proposes harsh new income thresholds that applicants, even those with sponsors, will have to meet to avoid a public charge assessment. **A family of four would need to earn over \$62,750 to avoid a public charge assessment.** The rule also explicitly states that an applicant's inability to work because of age, either being too young or too old, or disability, will be a significant negative factor in their public charge assessment.

Federal law provides some protections from this harsh proposal for humanitarian-based immigration applications such as refugees, asylees, victims of trafficking, violence, or crimes, and some other categories, who are exempt from the public charge test and can receive benefits without impacting their immigration status. Another safe guard is that benefits, such as food and medical assistance, received by an applicant's dependents cannot be considered in the applicant's public charge assessment.

This rule would be a dangerous departure from our country's proud identity as a nation of immigrants seeking the American Dream's promise of opportunity earned through persistence and hard work.

Instead, of welcoming the "tired, poor, huddled masses" of the world, this rule would prohibit all but the wealthiest from accessing our immigration system and the freedom, hope and opportunity it provides.

"It will be nearly impossible for poor people, disabled people, the elderly, or children to adjust their immigration status under this proposal," said Louise Pocock, attorney with the Charlotte Center for Legal Advocacy. "Our organization serves hardworking low-income immigrant families who deserve a fair shot at the opportunity to support their families and keep them together."

For more than 100 years, the U.S. government has recognized that social supports like health care and nutrition help families thrive and remain productive, and the government has long clarified that immigrant families can seek health and nutrition benefits for eligible families without fear of harming their immigration case.

If this rule is finalized, families will no longer have that assurance.

Instead this rule would punish low-income people for wanting to legally live in the U.S. and deny vulnerable families the chance to even try to "pull themselves up by the bootstraps."

For several months, Charlotte Center for Legal Advocacy has been working with families who are afraid to use public assistance programs they are eligible to receive due to fears that using those benefits will harm their ability to adjust immigration status or even get them deported. We are certain that many more families will decline critical access to nutrition, healthcare and housing they are eligible to receive if these new proposed changes go into effect, creating more confusion for families who are already living in fear and vulnerable to exploitation.

What can I do? The public has less than 60 days to submit comments to the federal government opposing this rule. The deadline is December 10.

[Submit comments against this proposal today!](#)

We are calling on all community members to submit comments to tell the government that our immigration system can't be sold to the highest bidder. It is against our shared American values to turn this system into a class-based "pay for play" system that is inaccessible for the families Charlotte Center for Legal Advocacy serves.

Encourage your networks to comment!

The government has already received more than 2,500 comments nationwide opposing this rule, but we need thousands more to speak out about how terrible this proposal is for our country.

Building a strong community means helping families thrive. When families are too afraid to seek assistance to meet their basic needs, our whole community suffers. This rule only ensures a poorer, sicker, hungrier community. Family safety and unity should not have to come at the expense of stability.

Join us next Wednesday, October 17 at 2 p.m. for a Facebook Live Chat about public charge and its impact.

Charlotte Center for Legal Advocacy will host a Facebook live conversation about the proposed changes next Wednesday, October 17, at 2 p.m. Please join us to learn more and ask questions - Spanish speakers welcome!

For additional information about "public charge," visit our [website](#), follow us on [Facebook](#), and join the [Protecting Immigrant Families Campaign](#).

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