

Public Charge Test Proposed Rule Change

How You Can Help Protect
Immigrant Families



Today's Agenda

- The Children's Movement overview
- The "Public Charge" test
- Proposed changes to the test
- Federal Rulemaking & Public Comments
- How you can fight back

The Children's Movement

1

JOIN THE MOVEMENT

Declare you're Pro-Kid by connecting your organization or yourself to the Movement, signifying your support for "prioritizing children's health and education in public policymaking"

2

GET POLICY UPDATES

Gain access to updates on key issues impacting kids and what needs to happen to better ensure their well-being

3

OPT-IN TO CAMPAIGNS

Receive notifications about, and have the opportunity to opt in to collective action campaigns supporting Pro-Kid policies*

*An organization or individual's name will never be used in support of any specific policy proposal unless they knowingly opt in to support it

Movement Members

340+ in Alameda County including...

211 Alameda County (Eden I & R, Inc.)
67 Sueños
Alameda County CASA
Alameda County Office of Education
Alliance for Boys and Men of Color
Berkeley City College
California Food Policy Advocates
California Immigrant Policy Center
California School-Based Health Alliance
Centro Legal de La Raza
East Bay Asian Youth Center (EBAYC)
East Bay Children's Law Offices
East Bay Community Law Center
First 5 Alameda County
Genders & Sexualities Alliance Network
Girls Inc. of Alameda County
Girls Leadership Institute
Global Citizen Year
Government Alliance on Race and Equity (GARE)
Kidango, Inc.
La Clinica de la Raza
Laney College
National Center for Youth Law
Oakland Unified Schools Early Childhood Education
Parent Voices Oakland
Playworks
Pre-Health Dreamers
Social Justice Collaborative
Students for Education Reform
Techbridge Girls
UC Berkeley, Early Childhood Education Program
UCSF Benioff Children's Hospital Oakland
Women's Economic Agenda Project
Women's Foundation of California
YMCA of the East Bay

120+ Child Health organizations including...

Alameda County Public Health Department, Family Health Services,
Maternal, Paternal, Child and Adolescent Health
American Academy of Pediatrics, California
Autism Deserves Equal Coverage Foundation
California Adolescent Health Collaborative
Center for Autism and Related Disorders
Developmental Disabilities Council
Disability Rights California
Eisner Pediatric & Family Medical Center
GetzWell Pediatrics
Maternal and Child Health Access
Maternal Mental Health NOW
Mental Health & Autism Insurance Project (MAIP)
Pediatric Therapy Network
Special Needs Network, Inc.
State Council on Developmental Disabilities, Sacramento

Become a Member Today

childrennow.org/themovement



The Public Charge Rule Change

What is it and how will it affect children and families?



The Current “Public Charge” Test

- The “public charge” test has been part of federal immigration law for over 100 years
- If the gov’t determines that a person is likely to become a “public charge,” it can deny a person admission to the U.S. or lawful permanent residence (or “green card” status)
- For over 100 years, the gov’t has recognized that work supports like health care & nutrition help families thrive & achieve self-sufficiency
- Under the current policy, the only benefits considered a “public charge” are very limited

Proposed Change to the Policy

- US Citizenship & Immigration services (USCIS) wants to broadly expand the forms of public assistance considered a “public charge”
- The proposed expansion could target key programs that help participants meet their basic needs, such as:
 - Non-emergency Medicaid
 - Supplemental Nutrition Assistance Program (SNAP, AKA: food stamps)
 - Low Income Subsidy for prescription drug costs under Medicare Part D
 - Housing assistance such as Section 8 housing vouchers

Rationale & Exceptions to the Change

- “Public charge” has not been defined in statute or regulations
- There has been insufficient guidance on how to determine if an immigrant who is applying for a visa is likely at any time to become a public charge
- This rule would not impact groups that Congress specifically exempted from the public charge test

Effects of the Proposed Change

- The proposed change would make—and has already made—immigrant families afraid to seek programs that support their basic needs
- Puts the health and wellbeing of millions of people at great risk
 - In the U.S., one in four children have at least one immigrant parent
 - In CA, nearly half of our state's children live in immigrant families

Federal Rulemaking & Public Comment

- Agencies must follow an open public process when they issue regulations
- In early stages of rulemaking process, agencies must publish a proposed rule in the Federal Register
- **Anyone interested may respond to the proposed rule by submitting comments**
- At the end of the process, the agency must base its reasoning for the final rule & conclusions on the rulemaking record

Help Protect Immigrant Families

Join us in submitting comments to oppose this
proposed change: <https://bit.ly/2Jrs9fU>

Use **#Protectfamilies**
on social media

Organize your networks, your
neighbors, and your family to
weigh in and do the same



For More Info...

- The Children's Partnership & KidsData.org Report *Potential Effects of Public Charge Changes on California Children*
- For more information and more resources, go to www.ProtectingImmigrantFamilies.org
- *This American Life #656* – *Let Me Count the Ways*
- *New York Times Op-Ed* – *A Tortured Choice for Immigrants: Your Health or Your Green Card*

TAKE ACTION TODAY

to help protect immigrant families



OR VISIT:

<https://bit.ly/2Jrs9fU>

Kacey Wulff

The Children's Movement
Director

kwulff@childrennow.org

Emily Reece

The Children's Movement
Coordinator and Database
Administrator

ereece@childrennow.org