

Inadmissibility on Public Charge Grounds Proposed Rule: New Research Documents and Estimates Harms

The proposed “public charge” rule would make it more difficult for immigrants to obtain a green card if they use any of a wide range of public benefits. If finalized, the proposed “public charge” rule would result in declines in immigrant families’ access to the basics we all need to survive – programs that help families stay strong, productive, and raise children who thrive. Recent research confirms that, by threatening immigration status when immigrants use programs to meet their family’s basic needs, the proposal would make immigrant families afraid to access programs that support essential needs like health care and food assistance, even for groups not subject to a public charge determination, such as citizen children and humanitarian immigrants.

This fact sheet describes new research detailing how the proposed rule would contribute to immigrant families’ fear to seek public benefits, harm children, and burden community-based organizations. Overall, the research strongly supports our argument that the proposal would be harmful, costly and should be withdrawn immediately.

NEW RESEARCH DOCUMENTS THE CHILLING EFFECTS ALREADY HAPPENING

The proposed changes to public charge are not final, but they are already causing significant harm. Fear and confusion are causing people to disenroll from programs or forgo benefits to which they are eligible - known as the chilling effect. Recent research documents that rising fear and confusion are already surfacing:

- In a 2018 survey, the Urban Institute found evidence of the proposed rule’s far-reaching impact. Researchers found that about one in seven adults in immigrant families (14%) reported “chilling effects,” in which the respondent or a family member did not participate in a noncash government benefit program in 2018 for fear of risking future green card status.
- The Urban Institute found evidence of spillover effects. Though the proposed rule would only directly affect adults who do not yet have a green card, researchers observed chilling effects in families with various mixes of immigration and citizenship status, including 9% of those in families where all foreign-born members were naturalized citizens.
- In June 2019, New York City documented distinct changes in SNAP enrollment among eligible non-citizens. Between January 2018 and January 2019, New York City found that the number of eligible non-citizen New Yorkers who received SNAP declined at a much greater rate (-10.9%) than U.S. citizen New Yorkers (-2.8%). Reinforced by anecdotal and survey evidence, New York City suggests that this change is attributed to the chilling effect of public charge proposals.
- New York City’s decline in SNAP enrollment among non-citizen New Yorkers also has considerable economic impacts. The higher than expected drop-off and non-participation rate among non-citizens results in an estimated \$40 million in lost SNAP benefits and approximately \$72 million in lost economic activity.
- California’s health care insurance exchange, Covered California, reported a greater decrease in new enrollments among non-English speaking groups than among those for whom English was the preferred spoken language. In particular, the number of Mandarin speakers dropped 28 percent, Spanish speakers dropped 29 percent and Korean speakers dropped 46 percent. By comparison, the number of English speakers dropped 22 percent. Covered California believes that this is likely due to the threat of public charge, which received extensive coverage in ethnic media.

NEW RESEARCH ESTIMATES HARM ON CHILDREN

Recent research builds evidence of the harm the proposed rule would have on children. From documented chilling effects in households with children to estimated impacts on children who need medical care, the following new research clearly shows the considerable harm on children:

- The Urban Institute found harmful chilling effects in families with children. Adults in immigrant families living with children under age 19 were more likely to report chilling effects (17%) than adults without children in the household (9%).
- In an April 2019 study, pediatricians and public health researchers participating in Children's HealthWatch describe trends in SNAP participation among immigrant families of U.S. born children. Despite no change in household employment status, SNAP participation among families with recently arrived immigrant mothers and their U.S.-born children declined between 2017 and 2018. SNAP decreases occurred concurrently with rising child food insecurity for this group.
- In an article published in February 2019 in the official journal of the American Sociological Association, researchers describe the potential child poverty impact of the proposed rule. Under a scenario in which 35 percent of noncitizens withdraw from SNAP for their household out of immigration related fears, the child poverty rate would increase by approximately 1.7 percent. This increase in the child poverty rate translates to about 200,000 children being pushed into poverty.
- A study published in July 2019 in JAMA Pediatrics describes the estimated impact of the proposed rule on children who need care. Researchers found that 8.3 million children who are enrolled in Medicaid or SNAP are at risk of losing health and nutrition benefits under the rule, 5.5 million of whom have specific medical needs. Between 0.8 and 1.9 million children with medical needs, including children with asthma, epilepsy, cancer, and disabilities, could be disenrolled from these benefits. If left untreated, the estimated disenrollment may contribute to child deaths and future disability.

NEW RESEARCH DESCRIBES IMPACT ON COMMUNITY-BASED ORGANIZATIONS

Given the increased fears and confusion in immigrant communities, community-based organizations are facing increased administrative burdens to rapidly respond to community needs. These organizations are not only having to spend limited resources understanding a complex proposed rule, but more importantly communicating these potential changes to immigrant families.

- Based on interviews conducted with practitioners in Chicago, Houston, Kansas City, Los Angeles, and New York, Local Initiatives Support Corporation (LISC) observes that federal policy changes and proposals, like the proposed rule, have resulted in increased demand for the services of community-based organizations and, because of these increased demands, increased costs. The researchers found that future consequences of any changed rules related to public charge might exacerbate these financial burdens and make it even more difficult to engage with immigrant communities.

NEW RESEARCH CITED

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