Public charge is a test used by the federal government to determine whether immigrants on the road to citizenship will use government benefits as their main source of support. Traditionally, “public charge” has only been applied to immigrants who depend on cash assistance or institutional long-term care. If immigrants are deemed a public charge, the government can deny entry to the U.S. or approval for applications of lawful permanent residency.

In an unprecedented move, the Department of Homeland Security has proposed expanding the definition of the public charge rule to include the use of other programs that improve maternal and child well-being. The change would likely lead to a large number of families declining necessary services they are eligible for out of fear of jeopardizing their immigration status. In turn, many immigrant families could face negative health, educational and life outcomes. A person’s immigration status could be at risk if they seek access to any of the benefits programs.

In Michigan, 13% of children live in immigrant families where either one or both parents are foreign-born. As noted in the 2017 Race for Results report, immigrant experiences vary significantly by race. Only about one-third of Latinx children in immigrant families in Michigan live above 200% of the federal poverty level, making access to programs that support their healthy development critical.

Studies show the proposed rule will lead to an increase in immigrants considered a public charge from 3% to 47%.

<table>
<thead>
<tr>
<th>Current Public Charge Benefits:</th>
<th>Proposed Added Public Charge Benefits:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• SSI (Supplemental Security Income)</td>
<td>• Medicaid</td>
</tr>
<tr>
<td>• TANF (Temporary Assistance for Needy Families – Cash Assistance)</td>
<td>• Housing assistance</td>
</tr>
<tr>
<td>• Other state or local cash assistance programs</td>
<td>• Medicare Part D (low income subsidy)</td>
</tr>
<tr>
<td></td>
<td>• SNAP (Supplemental Nutrition Assistance Program – Food Assistance)</td>
</tr>
</tbody>
</table>

**UPDATE:** On September 22, The Department of Homeland Security released information on its plans to change the public charge rule. This fact sheet is based on the latest information available.

**TAKE ACTION**

The good news is that the government can’t implement a new regulation without first obtaining public input. The proposed public charge rule is set to be published in the federal register any day now. When it does, the public can submit a public comment voicing concern about the harmful impact of this rule. Here’s what you can do:

- **Step 1:** Join the Protect Immigrant Families Michigan campaign and pledge to submit a public comment when the rule is published in the Federal Register.
- **Step 2:** Prepare your individualized public comments on the proposed public charge rule.
- **Step 3:** Tell your friends, family, and networks about this proposed rule, and encourage them to submit a public comment.
Housing assistance delivers an important support for families who cannot afford rising housing costs. Without it, children may be forced into overcrowded housing in high-poverty areas. They may also become homeless as a result.

Under the proposed rule change, as the largest share of participation in four of the major public programs, children ages 0-17 would be at the highest risk of not enrolling or disenrollment from programs aimed to improve well-being and development. Though use of public benefits by U.S. citizen children will not factor into an immigrant parent’s public charge determination, the rule will likely have a chill factor that could impact children’s enrollment in vital services. In Michigan, almost 46% of U.S.-born children, almost 48% of noncitizen immigrant children and over 40% of naturalized citizen children participate in at least one or more of the following public programs: TANF, SSI, SNAP and Medicaid/CHIP. As of the latest announcement on September 22, participation in CHIP would not be considered. The proposed rule change could jeopardize access to healthcare, adequate food and nutrition and safe, affordable housing for thousands of Michigan children, which will negatively impact their educational, health and economic outcomes.

**PROGRAMS IMPROVE OUTCOMES FOR KIDS**

One in four Michigan children in an immigrant family lives in poverty and 47% live in families with low incomes and limited resources.

Under the proposed rule change, as the largest share of participation in four of the major public programs, children ages 0-17 would be at the highest risk of not enrolling or disenrollment from programs aimed to improve well-being and development.

In Michigan, nearly 50% of immigrant children and 37% of immigrant adults participate in SNAP.

The use of SNAP has shown to decrease the risk of future obesity in children nationally by 16%. Food assistance leads to an 18% increase nationally in graduation rates.

Food security will decrease for women, children, and families who choose to disenroll from SNAP for fear of losing out on a green card. For children this will create toxic stress and harm their development.

31% of Michigan children in immigrant families live in a household with a high housing cost burden and they are twice as likely than U.S.-born children to live in crowded housing.

Housing assistance delivers an important support for families who cannot afford rising housing costs. Without it, children may be forced into overcrowded housing in high-poverty areas. They may also become homeless as a result.

45% of noncitizen immigrant children in Michigan and 34% of adult immigrants in Michigan participate in Medicaid or MIChild.

Without access to Medicaid, mothers may delay or refuse prenatal care due to the lack of money or insurance to pay and children will not receive medical attention as needed.

The proposed change to the public charge rule could also prevent unification of families because of how it affects the ability to obtain a visa into the country as well as Lawful Permanent Resident Status through family-based petitions. The proposed rule changes will have a disproportionate impact on mothers and their children, who will lose access to public programs as they choose between getting the help they need and reuniting with those they love or keeping their families together.
Endnotes


6. TANF, SSI, SNAP and Medicaid or CHIP.


