

Protecting Immigrant Families - Illinois

Protecting Illinois' immigrant families protects all families

PIF-IL is a statewide coalition comprised of diverse member organizations, including directly impacted communities, safety net providers, and legal services, working to protect Illinois immigrant families' access to basic essential needs programs.

Updated: October 10, 2018

The Trump Administration's Latest Attack on Immigrant Families: An Expanded "Public Charge" Test

The Department of Homeland Security has proposed a federal rule that threatens access to basic needs programs—like food, medical, and housing assistance—for millions of immigrant families in Illinois and nationwide. This violates our nation's most basic values. ***The rule has been officially filed but has not taken effect. A public comment period is open until December 10, 2018.***

What is the public charge test now?

To become a legal permanent resident (LPR) or "green card" holder, a person must show that they are unlikely to become a "public charge" in the future. A person can be considered a public charge if they are receiving cash assistance (including Temporary Assistance for Needy Families, Supplemental Security Income, and General Assistance) and/or if they are institutionalized for long-term care at government expense. The Trump Administration wants to drastically expand the list of programs included in public charge determination to those like Medicaid and SNAP (see back for more details).



Who does the public charge test apply to?

Immigrants seeking entry into the U.S. or seeking to become Legal Permanent Residents (LPRs) (i.e., "green card" holders) mainly through family-based petitions and their family members, among others.

The public charge test does NOT apply to: LPRs applying for U.S. citizenship; refugees; asylees; survivors of trafficking (T-Visas); self-petitioners under the Violence Against Women Act (U-Visas); people applying for or re-registering for Temporary Protected Status (TPS); and several other categories of noncitizens. These exceptions are written in the law; the proposed rules cannot change them.

Help us resist!

- Join the Protecting Immigrant Families - Illinois campaign
- Speak out against the new proposed public charge test
- Submit comments when the new proposed rule is released
- Gather stories about how immigrant families will be impacted

For more information, message us at pifillinois@povertylaw.org; comments can be filed through <https://protectingimmigrantfamilies.org/>

How is the Trump Administration proposing to change the public charge test?

- Dramatically expanding the types of public assistance that are taken into consideration (see list below)
- Certain amounts or durations of use of these benefits will count as "public charge"
- Evaluating the following factors to anyone the rule applies to: age; health; family status; and assets, resources, and financial status; education and skills; and an affidavit of support
- Adding a new income threshold of 125% FPL (around \$31,000 for a family of 4)

Note: The most recently published draft rule would not apply retroactively in the case of benefits not previously considered for public charge purposes.

Public benefits currently considered:	Public benefits added in new rule:
<ul style="list-style-type: none">• Cash Assistance: Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), General Assistance (GA)• Institutionalization for long-term care at government expense	<ul style="list-style-type: none">• Food Stamps (SNAP program)• Medicaid (including ACA adult, Moms & Babies)• Public housing, Housing Choice Vouchers, project-based Section 8• Medicare Part D low-income subsidy

How will this harm immigrant families in Illinois and around the country?

- Increases fear, anxiety, and confusion in immigrant communities
- Will cause parents and children to forgo critical assistance for fear of being targeted for deportation, putting them at greater risk of falling into poverty
- Effectively creates an income test for LPR applicants
- Effectively prevents working immigrant families from reuniting with their relatives

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