

ABIL Says Proposed Change to Public Charge Rule Would Exclude Immigrants from Government Programs

A rule about to be proposed by the Trump administration would punish immigrants who use welfare, the Alliance of Business Immigration Lawyers said. The rule, which has become available through leaked drafts, is still in the works, but would disqualify immigrants from obtaining green cards or seeking or renewing temporary visas if they or their dependents, including their U.S. citizen children, have received one or more of a broad range of public benefits.

WASHINGTON ([PRWEB](#)) September 13, 2018 -- For over a century, U.S. immigration laws have sought to keep out immigrants who are likely to become a “public charge,” meaning a foreign national who depends on government benefit programs. According to a leaked draft of a new proposed rule, the Trump administration plans to authorize federal officials to broaden their interpretation of what constitutes a public charge. According to an analysis of the draft rule by the Migration Policy Institute at <https://www.migrationpolicy.org/news/through-back-door-remaking-immigration-system-expected-public-charge-rule>, nearly half of the U.S. noncitizen population could be at risk of a public-charge determination, up from the current 3 percent. The analysis notes that under current rules, only immigrants who primarily depend on cash benefits or who are in government-funded, long-term institutional care are considered public charges. The proposed policy, however, could disqualify immigrants from obtaining permanent residence or seeking or renewing a temporary visa if they or their legal dependents, including U.S. citizens, received one or more of a broad range of public benefits.

Attorneys from the Alliance of Business Immigration Lawyers (ABIL) are fielding many questions regarding this proposal, and are assuring clients that this is just a draft leaked rule. As such, any changes will come out first as a proposed rule, with time for comments. It could be a year or longer until any new rule is finalized. Moreover, any final rule could be immediately subject to litigation.

ABIL advises all applicants to comply with current rules. For example, California residents may be required to sign up for medical insurance under the Affordable Care Act. Even if that were to change under a final rule, the requirement still needs to be complied with at this time.



Contact Information

Lauren Anderson

Alliance of Business Immigration Lawyers

<http://www.abil.com>

+1 952-334-9357

Online Web 2.0 Version

You can read the online version of this press release [here](#).