

CONTACT: Danny Hajjar
dhajjar@mrss.com, 202-478-6182

TAHIRIH STATEMENT ON PUBLIC CHARGE RULE

Today, the administration filed a new rule that makes it harder for certain immigrants to obtain legal permanent residence (i.e., a “Green card”) if they have used a range of public benefits. Currently, by law – with some key exceptions - those deemed likely to become a “public charge” by the Department of Homeland Security (DHS) are prohibited from becoming a permanent resident.

The previous policy, however, only allowed DHS to consider an applicant’s dependence on cash assistance or government-funded long-term institutional care when making a “public charge” determination. The new rule allows DHS to consider the use of additional benefits in deciding whether to deny a Green card application, like food stamps, non-emergency Medicaid, certain prescription drug subsidies, and housing vouchers.

“Today’s announcement is yet another attack on immigrant communities and is especially harmful for those survivors of gender-based violence who are subject to the rule. Abusers commonly use threats of violence and deportation to keep survivors economically dependent on them and to prevent them from escaping. Many survivors fear deportation because the result is separation from young U.S. citizen children, and loss of child custody to an abuser. This rule rewards perpetrators by deterring impacted survivors from accessing much needed benefits to feed themselves and their children, basic health services, and housing. We should not be punishing survivors who are already traumatized and in need of a lifeline,” said Irena Sullivan, Tahirih Senior Immigration Policy Counsel.

Fortunately, many survivors are indeed exempt from the rule, so it is critical for all immigrants to consult with experts before foregoing benefits unnecessarily. Also, survivors subject to the rule will not be penalized for use of benefits by their U.S. citizen children. More information on exemptions can be found on the [U.S. Citizen and Immigration Services’ website](#).

Despite these exemptions, the brand-new policy is already having a broad chilling effect within immigrant communities.

“The rule is meant to instill fear. Even if certain survivors are not technically subject to it, the policy heightens the climate of fear and keeps the most vulnerable in the shadows. Abusers already isolate survivors, to prevent them from learning about legal remedies designed specifically to protect and empower them. The result is that all survivors, regardless of whether they are exempt, will believe that they must choose between forgoing critical public services or denial of a Green Card,” explained Sullivan.

Irena Sullivan is available for comment on this topic. Please contact dhajjar@mrss.com to arrange an interview.

About the Tahirih Justice Center

The Tahirih Justice Center is the largest national direct service and policy advocacy organization focused on assisting immigrant women and girls fleeing violence. Tahirih will continue to monitor policy shifts that impact women and girls fleeing violence and advocate for the United States to honor its legal obligations to protect those fleeing human rights abuses.

Tahirih Justice Center is a national non-profit that protects courageous immigrant women and girls who refuse to be victims of violence through free legal and social services, public policy advocacy, and training and education. Visit www.tahirih.org for more information.