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Trump Considering Crackdown On Welfare For Legal Immigrants

It's part of an overall strategy to reduce immigration.

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WASHINGTON — The Trump administration is looking for ways to make the United States less hospitable to immigrants.

One of several draft executive orders that leaked from the White House last week would make it harder for people going through the legal immigration process to get green cards if there's a strong chance they'll sign up for welfare benefits.

Federal law already says immigrants are inadmissible if they're likely to become a "public charge" due to a variety of factors, including their age, health, financial resources and receipt of cash welfare. But the latter criteria excludes several of the most substantial federal safety net programs, like food stamps and Medicaid.

The draft executive order would direct the Department of Homeland Security and the State Department to come up with new standards that would add more means-tested programs to the public charge criteria.

"The immigration laws must ensure the United States does not welcome individuals who are likely to become or have become a burden on taxpayers," the memo says. (Vox published the draft order, along with several others, last week.)

The White House hasn't said whether President Donald Trump plans to sign the order, which would fit an overall strategy to reduce immigration. Already, by restricting travel from certain Muslim countries, Trump has taken steps toward the "total and complete shutdown of Muslims entering the United States" he promised during the campaign.

Undocumented immigrants are ineligible for safety-net benefits, and lawful permanent residents — green card holders — are barred from receiving most benefits for five years. The restrictions

don't apply to refugees. Before becoming a naturalized U.S. citizen, a green card holder could theoretically be deported for becoming a public charge.

Immigration hawks have long wanted to change the public charge rules, which they describe as weakly written and weakly enforced. As a senator, incoming Attorney General Jeff Sessions obsessed over immigrants using the safety net, and he pushed for expanding the definition of what makes someone a public charge. He would have a role in shaping Trump administration policy as attorney general.

“Encouraging self-sufficiency must be a bedrock for our immigration policy, with the goal of reducing poverty, strengthening the family, and promoting our economic values,” Sessions said in a 2013 report detailing his beef with immigrants getting food stamps and other benefits. Sessions has argued that admitting low-skilled immigrants and supporting them with welfare depressed wages for American workers.

Sessions and his office maintained a close relationship on the issue with Breitbart.com, the website that regularly airs white nationalist viewpoints whose chairman, Steve Bannon, has become the chief political strategist in the White House. The site has aggressively covered the intersection of immigration and welfare, and it has trumpeted Sessions' concerns.

Wendy Cervantes, a senior policy analyst for the Center for Law and Social Policy, a liberal think tank, said she worried changing the rules would discourage immigrants from seeking benefits to which they might still be eligible, even under a stricter regime. For instance, a non-citizen parent could apply for nutrition assistance on behalf of an eligible child who was born in the U.S. and therefore a U.S. citizen.

“Our concern is that by expanding the definition of a public charge under this order that it's going to cause a chilling effect that could prevent more children from accessing potentially lifesaving services,” Cervantes said.

More than 40 percent of the 44 million Americans counted as recipients of monthly Supplemental Nutrition Assistance Program benefits are children whose parents receive the benefits on their behalf.

Cervantes also pointed out that contrary to Sessions' press releases over the years, immigrants don't disproportionately receive means-tested benefits. A 2013 analysis of federal data by the libertarian Cato Institute is one of several studies indicating a smaller percentage of poor immigrants received benefits than poor U.S. citizens did from a variety of programs.