Trump's Immigrant-Welfare Rule Is Bad Policy, But Clever Politics

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President Trump's public charge rule to deny green cards and other immigrant visas to those who have used or are likely to use public benefits is bad policy but clever politics.

The final underline, issued by the Department of Homeland Security on Monday, represents a wedge issue that divides independents, libertarians, and fiscal conservatives. These groups generally support greater immigration yet are also fiscally responsible, with a healthy fear of welfare use and abuse. Trump needs the support of this broad faction of American voters in order to get reelected next year.

By pitting immigration against welfare use, Trump will likely attract some voters who have been skeptical of his immigration agenda. The majority of non-leftist voters, after all, want to rein in federal welfare programs, which are expensive and breed dependency, among other unintended consequences.

While Trump may achieve popular support with this rule, its goal — to reduce immigrant welfare use — could be achieved more easily and less controversially by simply further tightening immigrant access. For instance, the administration could perform a quick annual audit of the public benefits programs and kick any immigrants off the rolls.

Already under federal law, immigrants aren't generally able to access public benefits for their first five years in the country. Partially as a result of these prohibitions, immigrants use welfare at a lower rate than their American-born counterparts. According to a Cato Institute study released last year, "Immigrants are less likely to consume welfare benefits and, when they do, they generally consume a lower dollar value of benefits than native-born Americans." Annual audits and corresponding fines for immigrant violators would shrink this use even further.

Yet barring access to green cards and visa renewals as the final rule demands is a consequence that is out of proportion to the violation. Especially given that the rule has no "starting now" provision for benefit use for those seeking to apply.

Where the rule really fails is by making residency decisions based on the perceived future use of benefits, with applicants whom bureaucrats deem as likely public charges facing denials. How do immigration officials determine if an immigrant will use public benefits in the future? Based on a set of generic criteria, including incomes and English language proficiency.

This is a collectivist approach that should make anyone who believes in individual rights shudder. It's reminiscent of the 2013 guidance on auto-lending discrimination issued by

President Obama's Consumer Financial Protection Bureau that <u>looked at</u> borrowers' surnames and neighborhoods to guess their race.

Immigrants succeeding with limited resources or command of the English language is the rule in American history, not the exception. One might go so far as to call it the nation's origin story. Denying residency to poor people or non-English speakers because they are more likely to use public benefits is un-American. Democratic state attorneys plan to challenge the order in court, and they seem to have a strong case.

There are a lot of easier ways to reduce immigrant welfare use than taking the drastic step of denying green cards and visas. The fact that the Trump administration has ignored this low-hanging fruit further suggests that its chief policy aim is reducing immigration.