

Push back on green-card rule

Editorial Board

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The state Attorney General's office is right to challenge a Trump administration proposal that would make it harder for legal immigrants who have relied on public assistance to obtain permanent residence.

The proposal, characterized by AG Bob Ferguson as “un-American, anti-immigrant and unlawful,” relies on a long-held requirement applicants prove they will not be a “public charge” — primarily and permanently dependent on government assistance for survival. The change would dramatically expand the definition to include even temporary reliance on Medicaid, food stamps, housing vouchers or other forms of public aid.

Legal immigrants, their families and children would be punished for using resources intended to help in difficult circumstances. Worse, the change would discourage immigrants from accepting medical and nutritional assistance and other essential safety-net services for which they are legally eligible. As The Seattle Times has reported, even speculation about the change in policy has driven legal immigrants to disenroll from federal food and medical programs.

These social supports are neither designed nor intended to breed lifelong dependency, but rather to give working people a critical boost in times of exceptional need. Washington is one of 13 states challenging the proposal, which will take effect in October if a court does not intervene. As the states write in the complaint for declaratory judgment, “People who receive those benefits are neither paupers nor primarily dependent on the government for subsistence.” For example, nearly 80% of non-elderly recipients of Medicaid live in a home where at least one person is working, they write.

And despite a steady stream of misinformation seemingly designed to reinforce the baseless stereotype of immigrants as a drain on society, analyses repeatedly show noncitizen immigrant residents make up only a fraction of recipients of food, housing and medical assistance programs for which they are legally eligible. For example, an Associated Press analysis of census data found that only 6.5% of Medicaid and 8.8% of food-assistance recipients were noncitizen immigrants. Overwhelmingly, the beneficiaries of these programs were born in the U.S.A.

The libertarian Cato Institute came to similar conclusions, finding that not only are eligible immigrants less likely to receive welfare benefits, when they do, they tend to use those benefits less, at lesser public cost, than native-born Americans. In a 2018 policy briefing, the think tank's researchers point out that immigrants here illegally are not eligible for entitlement or welfare benefits other than emergency medical care. Legal temporary migrants, such as students or those on work visas also are generally not eligible for federal supports. Lawful permanent residents must wait five years or more for eligibility unless they live in a state that provides additional benefits at state expense.

In the court filing, the states argue the policy change would unlawfully constitute a radical overhaul of federal immigration law.

It is more than that — it is a radical overhaul of objective reality. The courts should stop this heartless and unnecessary policy change before it starts.