

Proposed Public Charge Rule

Council Meeting, October 23, 2018

Item 3.5



What is *Public Charge?*

“Public Charge” is a term used in immigration law to refer to a person who is likely to become primarily dependent on the government to meet his or her basic needs.

What Benefits Are Considered Under Public Charge NOW?

1. Federal/State/Local Cash assistance programs such as, CalWorks, Supplemental Security Income (SSI) and General Assistance (GA)
2. Long-Term Institutionalization at Government Expense

Proposed Rule Change

1. Federal/State/Local cash assistance programs including:
 - CalWorks
 - Supplemental Security Income (SSI)
 - General Assistance (GA)
2. Long-Term Institutionalization
3. **Health coverage through Medi-Cal (but not emergency Medi-Cal)**
4. **CalFresh (formerly known as food stamps)**
5. **Low Income Subsidy for prescription drug costs under Medicare Part D**
6. **Rental assistance under Section 8 housing vouchers, Project Based Section 8, and Public Housing**

Who's
Affected?

Who's Not?

Who's affected (remains the same):

1. Applying to be **L**egal **P**ermanent **R**esidents (LPR or green card)
2. Legal permanent residents, but have been out of the country for more than 6-months and are seeking to return to the US
3. Others who are seeking admission into the US (family members)

DOES NOT APPLY TO:

1. Refugees
2. Asylees
3. Violence Against Women Act (VAWA)
4. Special immigrant juveniles
5. Survivors of trafficking, domestic violence, or other serious crimes

Public Comment

- Public Comment due to the Federal Register on Dec 10th.
- Under federal law, the government is required to read and respond to every comment before issuing a final rule.

Nothing has gone into effect.

Action Requested

Adopt a resolution opposing the proposed Public Charge rule released by the Department of Homeland Security, and direct CAO to submit a statement on behalf of the City.