



UNITED  
PARENT LEADERS  
ACTION NETWORK

# POLICY ISSUE

## Inadmissibility on Public Charge Grounds

*A Proposed Rule by the U.S. Department of Homeland Security on October 10, 2018*

**November 2018**

As a core member and partner of United Parent Leaders Action Network (UPLAN), the National Parent Leadership Institute (NPLI) brings important information forward to inform parent leaders and other partners on proposed immigration policy change that will affect immigrant families across the United States. U.S. Citizenship and Immigration Services under the Department of Homeland Security (DHS) has **proposed changes that would make it more difficult for immigrants applying for legal permanent residence (green card), visa or adjustment status to receive approval** if determined to be or determined likely to be a *public charge(s)*. Simply put, a public charge is an immigrant deemed to be primarily reliant on public resources to meet their needs, rather than rely on their own capabilities and the resources of their families, their sponsors, and private organizations. [\[INA 8 U.S.C. § 1601 \(PDF\)\]](#)

Current U.S. law requires that immigrants demonstrate financial self-reliance or self-sufficiency. The Immigration and Nationality Act (INA) states that an applicant is *inadmissible* if he/she is determined “likely at any time to become a public charge.” The INA itself does not communicate strong evaluative measures for determining whether an immigrant is likely to become a public charge. Rather, it lists five factors to be “taken into account:” (1) age; (2) health; (3) family status; (4) assets, resources and financial status; and (5) education and skills. ***Some families would have to choose between meeting basic needs like food and health care, or securing legal status to live together as a family in the U.S. under the proposed changes.***

### What Can You Do To Help?

There is a 60-day period before the proposed rule can be adopted; this allows time for public comments to oppose it. This is your opportunity for civic engagement - speak up for immigrant rights so that this proposal is not adopted.

1. **Submit a formal comment by December 10, 2018.**
  - a. **ONLINE** at Federal e-Rulemaking Portal (preferred): [Click here](#) or go to [www.regulations.gov](http://www.regulations.gov). Follow the website instructions for submitting comments.
  - b. **MAIL IN** your personal comment to:

*Samantha Deshommes, Chief, Regulatory Coordination Division  
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Department of Homeland Security  
20 Massachusetts Avenue NW  
Washington, DC 20529-2140*

To ensure proper handling, please reference DHS Docket No. USCIS-2010-0012 in your correspondence. Mail must be postmarked by the comment submission deadline.

2. **Share your story.** UPLAN and other partners are looking for those affected to share their stories with elected officials and the media. Please contact UPLAN [using this link](#) to share your story. Or reach out to us at [nationalplti@gmail.com](mailto:nationalplti@gmail.com)

### Resources

- **UPLAN** – visit this [link for sample comments](#) you can personalize and [other resources on this issue](#).
- **Federal Register** – [proposed rule in detail](#)
- **U.S. Citizenship and Immigration Services** - [Proposed Change to Public Charge Ground of Inadmissibility](#)