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A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the sense of the Council opposing the implementation of the Department of Homeland Security's public charge rule because of the negative impact the proposed rule would have on our immigrant communities' access to vital services and cost-saving initiatives that keep families healthy and on the path towards economic self-sufficiency and success.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council Opposing Implementation of Public Charge Rule Resolution of 2020".

Sec. 2. The Council finds that:

(1) On January 27, 2020, by a 5-to-4 vote, the Supreme Court of the United States issued a decision that allowed the Trump administration to begin implementing its public charge rule.

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40 (2) The Supreme Court's decision lifted a nationwide injunction that had prevented the
41 implementation of the public charge rule.

42 (3) The rule, from the Department of Homeland Security (DHS), would make it easier for
43 immigration officials to deny entry or legal status to people deemed likely to require government
44 assistance.

45 (4) The Supreme Court's decision will allow for a policy that creates a "wealth test" that
46 would disproportionately keep out non-white immigrants.

47 (5) The federal regulation on public charge now states that a person who is likely to
48 become primarily dependent on government services is considered a public charge and therefore
49 it may greatly affect their ability to become a legal permanent resident of the United States.

50 (6) Under this modified regulation, an individual's income threshold (earning less than
51 125% of the federal poverty level), age, certain health conditions, limited English proficiency,
52 minimal education background, and prior receipt of certain benefits, may also be taken into
53 account and negatively impact the individual's eligibility to gain permanent legal status, and in
54 the future, attain lawful U.S. admission.

55 (7) DHS announced that their new rule relating to the public charge ground of
56 inadmissibility will go into effect on February 24, 2020.

57 (8) The impact of the public charge rule is not only on individuals who would be denied
58 immigration status under the analysis, but also on individuals who rightfully qualify for these
59 public benefits but who will be deterred from seeking this social safety net for themselves and
60 their family due to fear that the utilization of benefits would negatively impact their immigration
61 status, even if that fear is not based in fact.

62 (9) The Migration Policy Institute estimates that the new standards for determining when
63 an immigrant is likely to become a public charge could cause a significant share of the nearly 23
64 million noncitizens and U.S. citizens in immigrant families using public benefits to disenroll.

65 (10) Implementation of the public charge rule will prevent families from accessing
66 federal benefits like SNAP, Section 8 housing, and Medicaid, leaving many without basic
67 necessities of survival, including food, shelter and medical care.

68 Sec. 3. It is the sense of the Council that:

69 (1) Smart, effective, just, practical, and prudent immigration reform is in the national
70 interest of the United States.

71 (2) The District of Columbia welcomes and celebrates immigrants and their role in our
72 City's history and in the greater fabric and history of the United States.

73 (3) The District of Columbia has long embraced and welcomed individuals of diverse
74 racial, ethnic, religious, and national backgrounds, including a large immigrant population.

75 (4) The District of Columbia is home to a large population of people born outside the
76 U.S, is a city that strives to be child-and family friendly, and will benefit by changes to
77 immigration laws that prioritize family unity, protect vulnerable people and support workers.

78 (5) Immigrants represent nearly fifteen percent of the District's population and have
79 made and continue to make significant economic and social contributions to the District.

80 (6) The District of Columbia has already experienced the effects from the Trump
81 Administration's intent to instill distress among immigrant families in our communities.

82 (7) The United States Congress promptly enact legislation accomplishing comprehensive
83 immigration reform that treats all immigrants justly and reflects the basic principles of human
84 dignity and human rights.

85 (8) The District of Columbia strongly opposes the implementation of the Department of
86 Homeland Security's public charge rule and reaffirms our commitment to defend and protect the
87 rights and safety of the immigrant and refugee community of the District of Columbia.

88 Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the
89 President of the United States, the Leaders of both the Democratic and Republic party of the
90 United States House of Representatives and of the United States Senate, the Attorney General of
91 the United States, the Acting Secretary of the Department of Homeland Security, and the Mayor.

92 Sec. 5. This resolution shall take effect immediately.