The [injunction](https://www.atg.wa.gov/news/news-releases/judge-blocks-trump-administration-public-charge-rule-result-ag-ferguson-lawsuit), issued by the U.S. District Court for the Eastern District of Washington, blocks a policy that the Trump administration contends will save American taxpayers billions by ending welfare-dependent immigration to the U.S. - a problem underscored by a recent [report](https://cis.org/Report/63-NonCitizen-Households-Access-Welfare-Programs) by the Center for Immigration Studies which found that 63% of non-citizen households access government welfare programs, compared with 35% of households headed by American citizens.

With respect to welfare and immigration, the longstanding policy articulated by Congress is that (1) “aliens within the Nation's borders not depend on public resources to meet their needs, but rather rely on their own capabilities and the resources of their families, their sponsors, and private organizations,” and (2) “the availability of public benefits not constitute an incentive for immigration to the United States.” ([8 U.S.C. 1601(2](https://www.govinfo.gov/link/uscode/8/1601?type=usc&year=mostrecent&link-type=html)). Rather than reducing the number of green cards the U.S. grants every year, Trump's [merit-based proposal](https://www.theatlantic.com/ideas/archive/2019/05/trumps-merit-based-immigration-proposal-makes-sense/589846/) calls for rebalancing admissions to ensure that a higher proportion of new immigrants are poised to achieve labor-market success.

Public charge has been part of U.S. immigration law for more than 100 years as a ground of inadmissibility and deportation. The term has been interpreted to mean a person who is primarily dependent on the Government for subsistence. Legal immigrants seeking to become permanent residents must prove they won’t be burdens to the country. Currently, this determination considers the following factors: INA §212(a)(4)(A), [8 U.S.C. 1182](https://www.govinfo.gov/link/uscode/8/1182?type=usc&year=mostrecent&link-type=html)(a)(4)(B*)*

* age
* health
* family status
* assets, resources and financial status
* education and skills

In accordance with Congress and to better ensure that aliens are self-sufficient, the new “public charge” [rule](https://www.federalregister.gov/d/2019-17142/p-313) redefines the term to mean an alien who receives benefits including SNAP, housing vouchers, or Medicaid for more than 12 months in the aggregate within any 36-month period. This simply extends the scope of factors that are taken into account by DHS when considering eligibility for a visa, admission, or change in an alien’s status.

According to a recent Harvard/Harris Poll, a majority of Hispanic Americans support denying permanent residency to welfare-dependent immigrants. That however did not sway hysterical Democrats screaming that it’s racist to screen out migrants who’ll be a burden.