

**Protecting Families and Advancing Belonging: How Philanthropy Can Respond to Public Charge**

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***Public Charge Background and Impact***

The recently revamped public charge rule is this federal administration’s most sweeping and insidious attack on immigrant communities to date. When it goes into effect on October 15, barring a court injunction, certain immigrants accessing programs that help them meet basic needs, such as food, housing, and health care, can be denied a green card, and individuals deemed likely to use these programs can be denied admission to the United States.

The new rule will jeopardize the health and stability of tens of millions of immigrants of all statuses and their family members, who may withdraw from or avoid nutrition, health care, and housing assistance programs for fear of potential immigration consequences, as well as radically reshape how we admit future immigrants. It is a key component of the administration’s white nationalist agenda to halt and reverse demographic change in the United States, and it embodies all three of the administration’s anti-immigrant strategies:

1) To dehumanize and demonize immigrants, refugees, and asylum seekers through deceitful and destructive narratives

2) To force immigrants already here to leave through unilateral policy directives that fuel widespread fear and increase arbitrary detention and deportation

3) To prevent would-be asylees, refugees, and immigrants from entering the country through extreme policies

At its core, the new public charge rule seeks to exclude immigrants of color and/or limited means from membership in our society. The anticipated chilling effect will not only jeopardize the health, wellbeing, and economic opportunity of children, families, and communities, but also further erode our pluralistic democracy through the rewriting of our immigration system by fiat.

The tremendous amount of confusion and anxiety the public charge rule is creating in immigrant communities is placing significant stress on the organizations serving them, regardless of whether they have explicit public charge-response resources and capacity. From increased walk-ins and phone inquiries, to benefits screening and counseling taking significantly longer than usual, to a greater demand for legal assistance, to a redoubling of advocacy and policy strategies to create better conditions on the ground for immigrants, nearly all aspects of field organizations require support.

***Recommendations for Philanthropy***

The staggering implications of the public charge rule requires a robust and sustained response from philanthropy. In the short term, resourcing the field to engage in community education and outreach, as well as bolstering legal services screening capacity are key needs. Equally important, long-term work to advance an alternative, inclusive vision of America must be supported, including advocacy, organizing, litigation, and narrative change efforts.

Immediate Response Strategies

**Education and Outreach:** The most commonly-cited field need in response to public charge is providing education to communities to dispel misinformation and encourage immigrants to seek individual consultations to determine how public charge will or not apply to them and their families. This outreach is primarily being folded into existing in-person and social media engagements in order to meet immigrants where they are as opposed to setting up public charge-specific community events that immigrants may be reluctant to attend.

**Individual Screening**: Because the new public charge rule only applies to a specific slice of the immigrant population and contains multiple elements that are vaguely defined (“totality of circumstances test”), as well as exemptions, there is significant need for legal professionals or other qualified staff to help immigrants make determinations about what actions they should take in their specific situations. As community messaging will encourage these individual consultations, increased field capacity can help prevent bottlenecks among legal and other professionals that are typically already over-burdened.

**Litigation Support:** Several litigation efforts challenging the public charge rule are already underway, and additional suits are expected in response to the anticipated Department of Justice rule on public charge deportability. Litigation has been successful at reversing or slowing many of the administration’s attacks on immigrants, refugees, and asylum seekers, but these suits are typically lengthy and expensive.

Systemic Response Strategies

**Advocacy and Organizing**: A common reflection among field practitioners and funders alike is the constant defensive posture being taken in response to federal rhetoric and actions. While this defense is necessary, it is essential that immigrants and their allies also continue to build power and push local and state-level reforms that improve the quality of life and opportunities availability to immigrant communities. Civic engagement is paramount to the health of our democracy, and no less so within impacted immigrant communities; supporting these efforts will create the leaders, strategies, and victories necessary for long-term success.

**Narrative Change**: Similarly, it is important to recognize that the conditions that led to the possibility of the Muslim Ban, Family Separation, and Public Charge need to be challenged and reversed to prevent future attacks on immigrants—and the attendant rapid responses that drain field and philanthropic capacity and resources away from more affirmative uses. New messages and frames to dismantle white supremacy and xenophobia among various groupings of Americans are increasingly being explored and warrant further support and experimentation.

**Field Capacity and Sustainability:** Finally, the reality for immigrant-serving organizations is that every piece of inflammatory rhetoric, every policy proposal, rule change, or executive order—whether sustained by the courts or not—create stress and trauma among community members and staff alike. Responding to these threats is a significant drain on organizations and their front-line staff. Supporting the sustainability and health of these organizations and their staff over time will help ensure strong field infrastructure is in place and able to pursue their missions while mitigating staff burnout and turnover as well as the need to constantly fundraise for emergent rapid-response activities.

Additional Strategies

**Funder Voice:** In addition to short and long-term field investments, philanthropy is also uniquely positioned to leverage its voice of influence in support of an inclusive America—and in opposition to serious threats to immigrant communities and our pluralistic society. Whether directly engaging funder colleagues not currently engaged in public charge and related issues, penning op-eds to philanthropic audiences, submitting comments on proposed rule changes, or educating one’s elected representatives in a personal capacity, there is significant room for philanthropy to leverage its power in a way not often available to grantees.

**Coordination:** Collaborative strategies among funders to respond to large-scale challenges are a hallmark of effective change efforts. By working through formal collaboratives, or more informally discussing investment strategies in response to public charge or future issues, philanthropy can reduce duplication and maximize the value of its investments in support of immigrants, refugees, and asylum seekers across the country.

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