

Anticipated “Chilling Effects” of the Public-Charge Rule Are Real: Census Data Reflect Steep Decline in Benefits Use by Immigrant Families

By Randy Capps, Michael Fix and Jeanne Batalova

[Immigrant Integration](#) [Children & Family Policy](#) [Health & Welfare Benefits](#)

[see more...](#)



iStock

Researchers, service providers, and immigrant-rights advocates have long predicted that sweeping revisions by the Trump administration to the definition of who constitutes a public charge would deter large numbers of immigrant-led households from using public benefits for which they are eligible.

Recently released U.S. Census Bureau data offer the first opportunity to see if the predictions were accurate, and indeed the drop in usage by noncitizens and their U.S.-born children of federal means-tested public-benefit programs such as Temporary Assistance for Needy Families (TANF), the Supplemental Nutrition Assistance Program (SNAP, or food stamps), or Medicaid has been dramatic. Based on their analysis of data from the Census Bureau's American Community Survey (ACS), Migration Policy Institute (MPI) researchers find that during the first three years of the Trump administration, participation in TANF, SNAP, and Medicaid declined twice as fast among noncitizens as citizens.

The public-charge revisions made final by the Trump administration on February 24, 2020 and first telegraphed just weeks after Donald Trump took office, stand as perhaps one of its most significant and controversial immigration policy changes. The rule makes it more difficult for immigrants to become lawful permanent residents—in other words get a green card—if they participate in a range of federal means-tested public-benefit programs. Beyond the rule's effect on legal immigration, MPI researchers and others had anticipated the rule would chill immigrants' participation in public-benefit programs given the sharp drop observed after the 1996 welfare reform law imposed new restrictions on noncitizen eligibility.

The Trump administration's intent to revise long-standing public-charge criteria was featured widely in the media and public conversations beginning in early 2017, through the lengthy rulemaking process in 2018 and 2019, and during the extensive legal challenges that followed. The regulation's creation also occurred against a backdrop of strong rhetoric about the negative consequences of immigration, more visible immigration enforcement, and other policy changes that have generated fear in immigrant communities.

Until now, aggregate nationwide data had not been available to assess trends in noncitizens' program enrollment throughout the period during which the public-charge rule was proposed, drafted, debated, and finalized. The recent release of 2019 ACS data provides an opportunity to assess the chilling effects of the rule on the eve of its implementation.

U.S. and State Data on Participation in Public-Benefit Programs

For estimates of federal means-tested public-benefit program participation by U.S. residents in low-income families, both nationwide and in the ten states with the largest number of immigrants, check out [this dataset](#) .

This data file includes estimates for 2016 through 2019, shows change over time, and covers five groups: noncitizens, naturalized U.S. citizens; U.S.-born citizens; U.S.-citizen children (under age 18) in households with one or more noncitizen members; and U.S.-citizen children with only U.S.-citizen members.

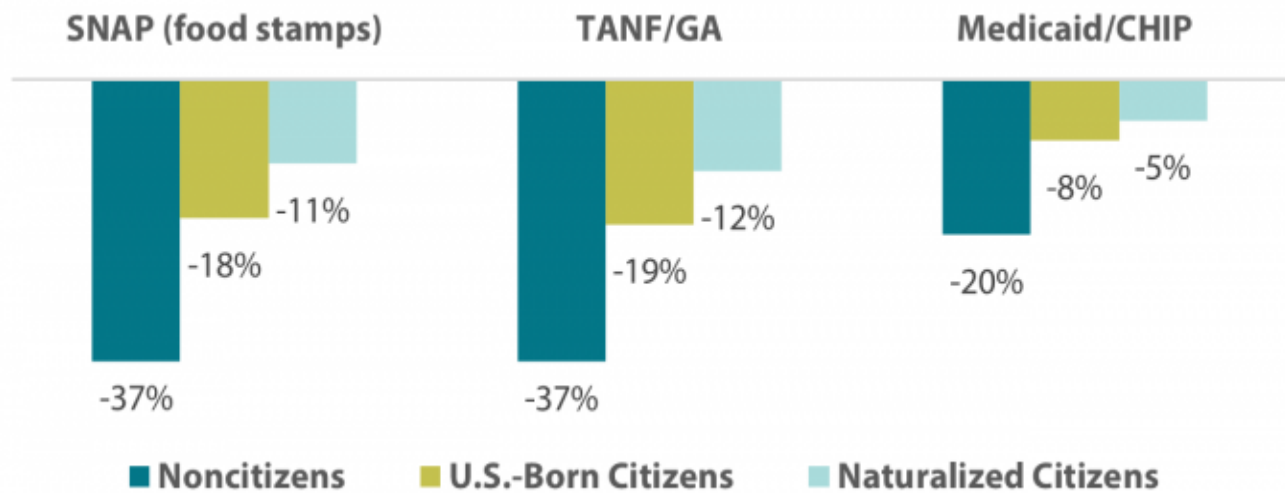
Analyzing ACS data for 2016 through 2019, MPI researchers found that participation in TANF, SNAP, and Medicaid declined far more rapidly for noncitizens than U.S. citizens. This trend held for both the overall and low-income populations—with the latter defined as people with annual family incomes below 200 percent of the federal poverty level (about \$49,000 for a family of four in 2019). The share of children receiving benefits under all three programs fell about twice as fast among U.S.-citizen children with noncitizen household members as it did among children with only citizens in their households. (It is worth noting that many groups of noncitizens—such as unauthorized immigrants, nonimmigrants with temporary visas, and recent lawful permanent resident adults—have been ineligible for these three programs long before the Trump administration.)

Participation fell for all groups—citizen and noncitizen alike—due to improving economic conditions between 2016 and 2019. But the much steeper decline among noncitizens and their children suggests that the public-charge rule

and other administration policies substantially chilled participation.

Declines for SNAP and TANF exceeded those for Medicaid. Between 2016 and 2019, the number of low-income noncitizens participating in SNAP fell by 37 percent, as did the number using TANF or similar cash assistance programs (see Figure 1). At the same time, Medicaid participation by low-income noncitizens fell by 20 percent. Across all the programs, the decline in participation for U.S.-born citizens was far smaller, decreasing only about half as much as for noncitizens and with even smaller drops for naturalized citizens.

Figure 1. Changes in Participation by Low-Income Individuals in Federal Means-Tested Benefit Programs, by Citizenship and Nativity, (%), 2016 to 2019

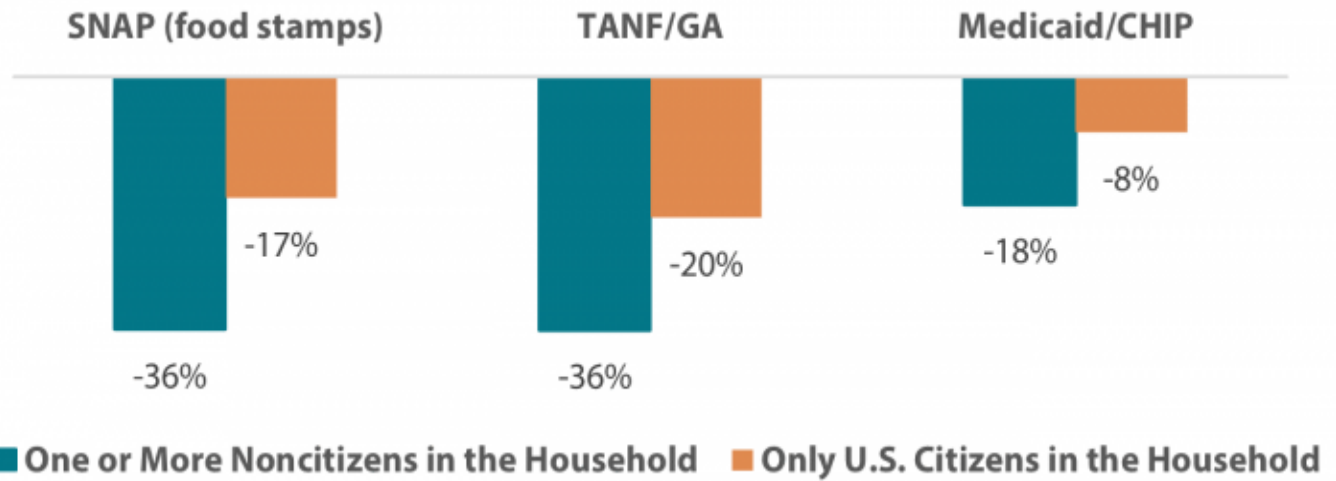


Notes: The low-income population includes people living in households with incomes below 200 percent of the federal poverty level (\$49,200 for a family of four in 2019). The federal means-tested programs analyzed included Supplemental Nutrition Assistance Program (SNAP); Temporary Assistance for Needy Families (TANF), General Assistance (GA), and similar cash assistance programs; and Medicaid, Children’s Health Insurance Program (CHIP), and similar public health-insurance programs. Some American Community Survey (ACS) respondents may have reported participation in state or local programs instead of the federal ones.

Source: Migration Policy Institute tabulation of data from the U.S. Census Bureau’s 2016 and 2019 ACS.

Declines were particularly notable among low-income U.S.-citizen children under age 18 with noncitizens in the household, as their program participation dropped almost as rapidly as that of noncitizens themselves (see Figure 2). Participation in all three programs fell about twice as fast over the 2016 to 2019 period for U.S.-citizen children with noncitizens in the household as for those with only citizens in the household.

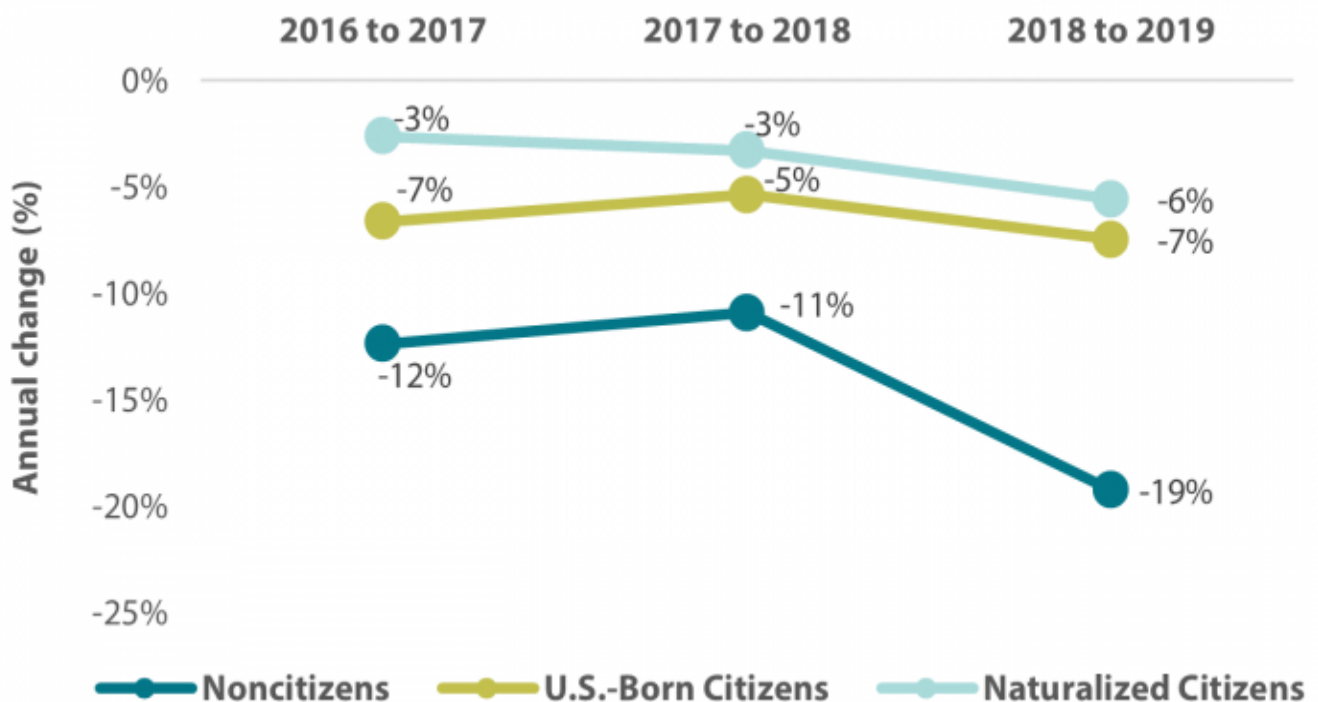
Figure 2. Change in Participation by Low-Income U.S.-Citizen Children in Federal Means-Tested Benefit Programs, by Citizenship of Household Members, (%), 2016 to 2019



Notes: Low-income children are those under age 18 living in families with annual incomes below 200 percent of the federal poverty level (\$49,200 for a family of four in 2019). The federal means-tested programs analyzed included SNAP; TANF, GA, and similar cash assistance programs; and Medicaid, CHIP, and similar public health-insurance programs. Some ACS respondents may have reported participation in state or local programs instead of the federal ones.
Source: MPI tabulation of data from the U.S. Census Bureau's 2016 and 2019 ACS.

Citizens and noncitizens alike saw their enrollment in these benefit programs decline during each of the first three years of the Trump administration, most likely because an improving economy reduced the need for assistance. But participation fell more rapidly among noncitizens, and the drop in their participation accelerated between 2018 and 2019, widening the gap with citizens. Noncitizens' SNAP participation fell 12 percent from 2016 to 2017 and 11 percent from 2017 to 2018, but then the decline accelerated to 19 percent from 2018 to 2019 (see Figure 3).

Figure 3. Annual Change in SNAP Participation by Low-Income Individuals, by Citizenship and Nativity, (%), 2016-19

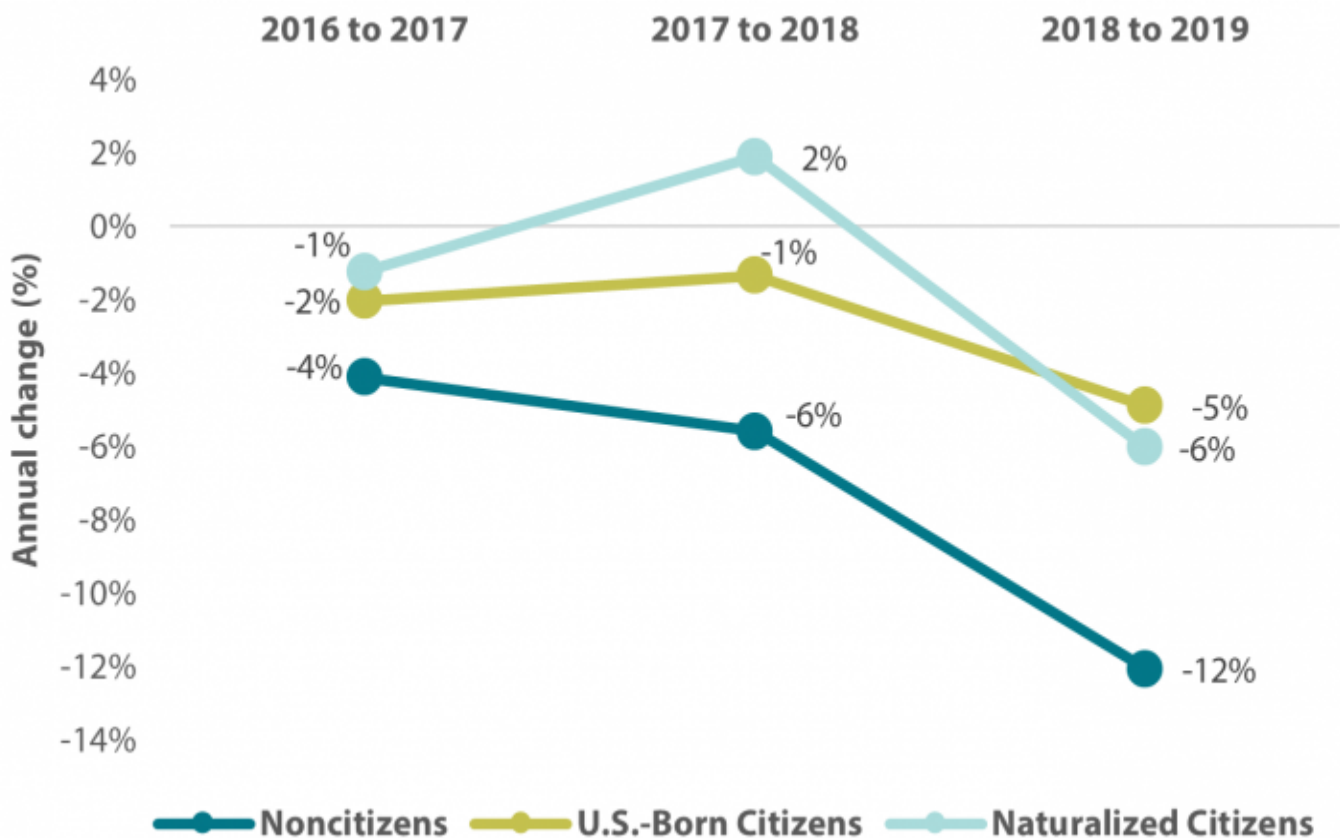


Notes: The low-income population includes people living in households with incomes below 200 percent of the federal poverty level (\$49,200 for a family of four in 2019).

Source: MPI tabulation of data from the U.S. Census Bureau's 2016, 2017, 2018, and 2019 ACS.

Similarly, Medicaid enrollment by low-income noncitizens dropped 4 percent from 2016 to 2017 and 6 percent from 2017 to 2018, before declining by 12 percent from 2018 to 2019 (see Figure 4). This accelerating decline in noncitizens' program participation coincides with the rule's highly publicized public comment period during fall 2018, and against the backdrop of more visible immigration enforcement, other policy changes, and negative rhetoric about immigration.

Figure 4. Annual Change in Medicaid/CHIP Participation by Low-Income Individuals, by Citizenship and Nativity, (%), 2016-19



Notes: The low-income population includes people living in households with incomes below 200 percent of the federal poverty level (\$49,200 for a family of four in 2019). Medicaid/CHIP participation includes participation in other federal, state, or local public health insurance programs.

Source: MPI tabulation of data from the U.S. Census Bureau's 2016, 2017, 2018, and 2019 ACS.

The data affirm the results of others' research on the rule's chilling effects. In a nationwide survey conducted during [December 2018](#) and repeated in [December 2019](#), about one-fifth of adults in low-income immigrant families reported withdrawing from or not enrolling in SNAP, Medicaid, and similar benefit programs due to fears of immigration consequences related to the public-charge rule. Those who had more information about the rule were more likely to withdraw or not apply for benefits.

The incoming Biden administration is reportedly considering efforts to effectively reinstate the public-charge rule that had been in place since 1999, which limited the regulation’s scope to those who were dependent on cash assistance or were institutionalized on a long-term basis. The Trump rule replacing the 1999 one has been repeatedly litigated, with courts imposing and removing injunctions since the rule went into effect in February 2020. As of this writing there had yet to be a final ruling on its merits.

Whether the incoming administration attempts to restore the 1999 policy through new rulemaking or use the courts to overturn it, a full reversal may take some time to go into effect. In the meantime, given the severe economic dislocation accompanying the COVID-19 pandemic, it is particularly essential that the federal government disseminates accurate information about who is and is not affected by the public-charge rule. Immigrants who have become U.S. citizens and the vast majority of those who already have green cards are not subject to the rule; most of those who do not yet have green cards are not even eligible for TANF, SNAP, or Medicaid due to 1996 welfare-reform law restrictions. Moreover, benefits use by children and other family members cannot be considered when individuals apply for green cards.

Without guidance from the federal government, it has been difficult for other levels of government and civil society to dispel misinformation about the scope of the rule—leading to the broad chilling effects shown in the data analyzed here. As evidenced by accelerating declines in Medicaid participation, these misunderstandings may have particularly troubling implications during the current public-health crisis when immigrants and their families may be reluctant to be tested and treated for the coronavirus and to be vaccinated. Declining TANF and SNAP participation is equally concerning given the rise in unemployment, food insecurity, and demand at food banks since the pandemic took hold. These public health-related concerns only reinforce the need to develop a communications plan about the limited scope of the rule in order to allay fears and reduce chilling effects.

SUBSCRIBE FOR UPDATES

Authors



Randy Capps is Director of Research for U.S. Programs. [Full Bio >](#)



Michael Fix is a Senior Fellow at MPI and is its former President. [Full Bio >](#)



Jeanne Batalova is a Senior Policy Analyst at MPI and Manager of the Migration Data Hub. [Full Bio >](#)

Related Research

- [The Public-Charge Rule: Broad Impacts, But Few Will Be Denied Green Cards Based on Actual Benefits Use](#)
- [Millions Will Feel Chilling Effects of U.S. Public-Charge Rule That Is Also Likely to Reshape Legal Immigration](#)
- [Gauging the Impact of DHS' Proposed Public-Charge Rule on U.S. Immigration](#)
- [Chilling Effects: The Expected Public Charge Rule and Its Impact on Legal Immigrant Families' Public Benefits Use](#)
- [Through the Back Door: Remaking the Immigration System via the Expected "Public-Charge" Rule](#)
- [Leaked Draft of Possible Trump Executive Order on Public Benefits Would Spell Chilling Effects for Legal Immigrants](#)

MULTIMEDIA



[Green Cards and Public Charge: Who Could Be Denied Based on Benefits Use?](#)

MARCH 5, 2020 | [Migration Policy Institute](#)

U.S. Immigration Policy Program

MPI's U.S. Immigration Policy Program analyzes U.S. policies and their impacts, as well as the complex demographic, economic, political, foreign policy, and other forces that shape immigration to the country.

[More Info >](#)

National Center on Immigrant Integration Policy

The NCIIIP is a crossroads for elected officials, researchers, state and local agency managers, grassroots leaders, local service providers, and others who seek to understand and respond to the challenges and opportunities today's high rates of immigration create in local communities.

[More Info >](#)

Human Services Initiative

The Human Services Initiative focuses on a range of immigration issues affecting children, families, and health- and human services programs and policies in the United States, with particular attention to refugees, asylum seekers, unaccompanied minors, and the children of immigrants.

[More Info >](#)

Contact Us

202-266-1940

info@migrationpolicy.org



1400 16th St NW, Suite 300, Washington, DC 20036
ph. 202-266-1940 | fax. 202-266-1900



Copyright © 2001-2021 Migration Policy Institute. All rights reserved.

[CONTACT](#) | [SITE MAP](#) | [EXPERTS](#) | [SIGN UP](#) | [DONATE](#)