



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
(617) 727-4765 TTY
www.mass.gov/ago

FOR IMMEDIATE RELEASE
August 14, 2019

MEDIA CONTACT:
Meggie Quackenbush
(617) 727-2543

**AG HEALEY SUES TRUMP ADMINISTRATION OVER ILLEGAL PUBLIC CHARGE
IMMIGRATION RULE**

*Coalition of States File Lawsuit Challenging Rule that would Deny Access to Citizenship to
Hundreds of Thousands of Immigrants*

BOSTON – Attorney General Maura Healey today announced her office is joining a coalition of states in suing the Trump Administration over a rule change that would deny entry into the United States and a path to citizenship to immigrants who access critical government-funded health, nutrition, and housing assistance.

The lawsuit, filed in the U.S. District Court for the Eastern District of Washington, asks the court to strike down a final rule from the U.S. Department of Homeland Security that the states argue contradicts a 70-year-old interpretation of the term “public charge,” a designation that triggers exclusion from the U.S. and rejection of an application for legal permanent resident status.

“This rule is designed to scare immigrants in Massachusetts and prevent people from accessing basic services for which they are eligible that keep our communities healthy and safe,” said AG Healey. “We urge the court to strike down this illegal rule that radically overhauls decades of federal immigration law.”

Where “public charge” was historically defined as someone primarily dependent on the government for subsistence, the Trump Administration’s new rule redefines the term as a noncitizen who receives common forms of federal and state assistance, even in small amounts and for short periods of time. The attorneys general contend that this change violates federal law, imposes significant costs on their states, undermines public health and welfare, disproportionately burdens communities of color and individuals with disabilities, and threatens the immigration status of hundreds of thousands of immigrant families across the country.

The states argue the rule will deter immigrants from using essential public assistance programs for which they are legally eligible so as not to jeopardize their hopes of becoming

lawful permanent residents or American citizens. This chilling effect will result in lawful immigrants forfeiting medical care, nutrition, and shelter not only for themselves but for their entire households—including U.S. citizen children born to noncitizen immigrant parents. The states further argue that the Administration’s new rule creates an illegal “bait and switch” scenario that would punish immigrants who use public benefits for which Congress made them eligible in the 1996 Personal Responsibility and Work Opportunity Reconciliation Act.

In Massachusetts, the new rule could cause:

- Approximately 39,600 to 92,400 MassHealth members, including 7,800 to 18,200 children, to lose medical coverage annually and become uninsured.
- Up to 60,000 ConnectorCare enrollees to disenroll and become uninsured.
- Thousands of vulnerable families to forgo nutritional benefits and experience an increase in food insecurity and hunger, including the loss of an estimated \$122 million in Supplemental Nutrition Assistant Program (SNAP) benefits, almost 10 percent of Massachusetts’s SNAP program.

In [December 2018](#), AG Healey sent two comment letters, one on behalf of Massachusetts and one joined by 22 states, to the Department of Homeland Security objecting to the public charge rule change. The states argued the rule change is destabilizing, discriminatory, and harmful to the U.S. immigrant population.

AG Healey has led a number of actions against Trump Administration’s illegal and unconstitutional immigration policies, including by challenging the terminations of Deferred Action for Childhood Arrivals, Temporary Protected Status, the Trump Administration’s illegal family separation policy, and many others.

Joining AG Healey in today’s suit are attorneys general from Colorado, Delaware, Illinois, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, Rhode Island, Virginia and Washington.

This matter is being handled by Special Assistant Attorney General David Ureña and Chief Abby Taylor of the AG’s Civil Rights Division, along with Assistant Attorney General Angela Brooks of the Child and Youth Protection Unit and Assistant Attorney General Amara Azubuike of the AG’s Health Care Division.