



Treatment Action Group

Treatment Action Group Joins Collective Call Denouncing the Trump Administration's Dangerous Finalized Anti-Immigrant Rule

August 19, 2019 – Treatment Action Group (TAG) strongly opposes the administration's finalized rule "Inadmissibility on Public Charge Grounds." This rule, which goes into effect on October 15, 2019, dangerously expands the definition of immigrants who are ineligible for admission into the U.S. or adjustment of status (e.g., applying for a green card) to include those who seek basic public services for health, nutrition, and housing.¹ This anti-immigrant rule will cause significant damage to the health of immigrants and citizens alike, and will cost the federal government more in spending on delayed access to care.

"We are deeply concerned by the administration's systematic efforts to sow fear and discourage immigrants from accessing health care and other programs they need," said Erica Lessem, TAG's Deputy Executive Director of Programs. "The discriminatory and racist effects of this rule will only worsen public health, limit access to health care, increase housing instability, and deepen poverty. We will continue to resist the implementation of the rule and strongly stand in solidarity with impacted communities against it."



Photos by Karen Smul, 501SEE Photography

TAG's Erica Lessem (left) and Annette Gaudino being arrested for civil disobedience as part of the "Delancey 14."

The new rule, which thousands of organizations and individuals opposed when it was in draft form,² expands the list of public benefits to be counted against applicants to include such vital programs as subsidized public housing, Supplemental Nutrition Assistance Program (SNAP), and non-emergency

¹ Department of Homeland Security Rule CIS No. 2637-19, RIN [1615-AA22](https://www.federalregister.gov/d/2019-17142/p-16) (2019).
<https://www.federalregister.gov/d/2019-17142/p-16>

² Comments in Opposition to Public Charge [Internet]. Protecting Immigrant Families; c2019 (cited 2019 August 16). <https://protectingimmigrantfamilies.org/analysis-research/>

Medicaid.³ In addition, those who have higher incomes and those with unsubsidized private insurance will be viewed more favorably⁴ – a policy which openly penalizes poverty and lack of access to health coverage in a deeply flawed insurance market. As TAG noted in our [comment on the draft rule](#), individuals from communities impacted by HIV, tuberculosis (TB), hepatitis C virus (HCV), and other health conditions will be discouraged from seeking, or will discontinue, health care due to fears of jeopardizing their immigration status.⁵

The Trump Administration has argued that this rule could shift resources away from new immigrants and towards those with citizenship.⁶ This argument is directly contradicted by the Administration's attacks on public benefits for all, including attempts to slash Medicaid, defund housing programs, and institute work requirements for food stamps. "If the Administration truly cared about the health and well-being of Americans, it would focus on supporting these programs rather than on penalizing those who happen to be foreign-born," said Elizabeth Lovinger, TAG's Government Affairs and Policy Officer.

The rule also displays a blatant disregard for the human rights to health, nutrition, and shelter enshrined in international law. In response to such concerns, the Department of Homeland Security stated that it is not bound by international law and is not obligated to enforce it.⁷

TAG vehemently opposes this rule, and are proud that two of our staff members were arrested for civil disobedience resisting it as part of the "Delancey 14."⁸ We urge the Trump administration to cease its assaults on immigrants and access to health care for all Americans. We stand in solidarity with those affected by this callous policy and commit to working toward a healthier future for all to truly end HIV, TB, and HCV epidemics. We commend the jurisdictions and organizations that have filed lawsuits over the new policy, and support the [No Federal Funds for Public Charge Act, H.R. 3222](#), which would at least bar federal funding from being used to enforce this cruel and short-sighted rule.

###

About TAG: Treatment Action Group (TAG) is an independent, activist and community-based research and policy think tank fighting for better treatment, prevention, a vaccine, and a cure for HIV, tuberculosis, and hepatitis C virus. TAG works to ensure that all people with HIV, TB, or HCV receive lifesaving treatment, care, and information. We are science-based treatment activists working to expand and accelerate vital research and effective community engagement with research and policy

³ Department of Homeland Security Rule CIS No. 2637-19, RIN [1615-AA22](#) (2019).

<https://www.federalregister.gov/d/2019-17142/p-17>

⁴ Department of Homeland Security Rule CIS No. 2637-19, RIN [1615-AA22](#) (2019).

<https://www.federalregister.gov/d/2019-17142/p-19>

⁵ Goldberg D, Colliver V, & Rayasam R. 'Public charge' rule keeping immigrants from health care. 2018 November. Available from: <https://subscriber.politicopro.com/health-care/article/2018/11/public-charge-rule-keeps-immigrants-away-from-health-programs-advocates-say-960797>.

⁶ Department of Homeland Security Rule CIS No. 2637-19, RIN [1615-AA22](#) (2019).

<https://www.federalregister.gov/d/2019-17142/p-440>

⁷ Department of Homeland Security Rule CIS No. 2637-19, RIN [1615-AA22](#) (2019).

<https://www.federalregister.gov/d/2019-17142/p-689>

⁸ "14 Arrested At LES Protest Against Trump Immigration Policy." Yahoo News [Internet]. 2018 September 25. Available from: <https://www.yahoo.com/news/14-arrested-les-protest-against-181535004.html>

institutions. TAG catalyzes open collective action by all affected communities, scientists, and policy makers to end HIV, TB, and HCV.