

Supreme court allows Trump to enforce new hardline immigration policy

- Alexandria Ocasio Cortez labels ruling 'shameful'
- Opponents argue it is essentially a 'wealth test'



US supreme court building is seen in Washington. Photograph: Will Dunham/Reuters

The US supreme court has allowed the Trump administration to block immigrants seeking permanent residency in America on the basis of their likelihood to use public benefits such as housing assistance, healthcare, and food stamps even for short periods of time.

In response, the New York Democratic congresswoman Alexandria Ocasio Cortez labeled the Monday ruling “shameful” and said: “The American Dream isn’t a

private club.”

The hardline policy, an expansion of the so-called public charge rule, has been litigated in lower courts by a collective of Democratic-leaning states and migrant rights activists, leading to several nationwide injunctions. The supreme court ruling lifts such blocks, allowing the policy to go into effect as litigation continues.

The justices voted 5-4 along ideological lines, with the conservative majority including chief justice John Roberts and the two judges appointed by Donald Trump, Neil Gorsuch, and Brett Kavanaugh, carrying the ruling.

Opponents of the policy, announced last August, argue it is essentially a wealth test that disproportionately affects non-white applicants for lawful permanent residency.

“America shouldn’t have a wealth test for admission,” Ocasio-Cortez tweeted. “It’s a place where millions of people are descendants of immigrants who came w[ith] nothing [and] made a life. The American Dream isn’t a private club with a cover charge – it’s the possibility of remaking your future.”

The Trump administration lauded the decision and argued the lower court injunctions were an example of judicial overreach.

“It is very clear the US supreme court is fed up with these national injunctions by judges who are trying to impose their policy preferences instead of enforcing the law,” said Ken Cuccinelli, acting deputy secretary at the US Department of Homeland Security.

The policy, which dramatically expands the public charge rule that previously covered applicants likely to need substantial and lengthy assistance, is the latest hardline immigration policy the supreme court has allowed to go into effect.

The court approved Trump’s travel ban on mostly Muslim majority countries; has allowed the use of \$2.5bn in defense funding to construct a wall along parts of the southern border, and has allowed a rule to stop asylum seekers from Central America entering the US.

A 2019 survey by the Urban Institute found that the Trump public charge rule was already deterring people from seeking benefits for US citizen children, for fear of harming their own immigration status. Benefits for family members are not

considered under the rule.

In a concurring opinion written by Gorsuch and joined by Clarence Thomas, the court criticized the use of nationwide injunctions.

“It has become increasingly apparent that this court must, at some point, confront these important objections to this increasingly widespread practice,” Gorsuch stated.

“As the brief and furious history of the regulation before us illustrates, the routine issuance of universal injunctions is patently unworkable, sowing chaos for litigants, the government, courts, and all those affected by these conflicting decisions.”

Source:

<https://www.theguardian.com/us-news/2020/jan/28/immigrants-residency-benefits-ruling-supreme-court-trump-policy>

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