

FOR IMMEDIATE RELEASE

Date: September 8, 2022

Contact:

Brandon Lee

773-259-5288 (call/text)

blee@icirr.org



**ILLINOIS ADVOCATES COMMEND THE RELEASE OF A
FINAL PUBLIC CHARGE RULE**

CHICAGO --- The Protecting Immigrant Families - Illinois (PIF-IL) coalition applauds the U.S. Department of Homeland Security (DHS) for publishing a final rule on public charge. The Biden rule adds critical protections to ensure immigrant families are not penalized for accessing government services, such as food assistance, health coverage and housing programs, that they are eligible for under federal law. Public charge is a factor in federal immigration law governing whether immigrants will be barred from entering the United States, including obtaining lawful permanent resident status (also known as getting a “green card”). Today’s rule codifies that immigration officials can only consider the following services in making a public charge determination:

- long-term institutional facility-based care paid for by the government, and
- public cash assistance for income maintenance such as Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF), and state, local and tribal cash assistance.

By specifying the few, limited programs that may be considered, the new public charge rule helps address the fears of immigration consequences and chilling effects caused by the Trump administration's confusing, punitive and discriminatory public charge rule. That rule had a devastating effect on immigrants across the country, stoking fears that led tens of thousands of immigrants to decline food assistance, health care and housing programs designed to protect families and strengthen communities regardless of an actual impact on their immigration status. The Trump administration’s rule was invalidated by a federal court and rescinded by the Biden Administration in March 2021. As advocates, service providers and community organizations working with communities to help them thrive, PIF-IL welcomes the Biden administration’s publication of a new final rule that embodies a humane and understandable policy.

Today’s final rule clarifies:

- Benefits received by a family member, like a U.S. citizen child, will not count in an individual's immigration application.
- Core nutrition and housing assistance programs, such as Supplemental Nutrition Assistance Program (SNAP), Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and Section 8 vouchers, will not be considered in a public charge determination.
- Enrollment in health coverage programs, such as Medicaid, Health Benefit for Immigrant Seniors and Health Benefit for Immigrant Adults, All Kids, and Moms & Babies will not be considered in a public charge determination.
- The only programs that can be considered in a public charge determination are Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF), state and locally funded cash assistance for income maintenance and long-term institutional care paid for by the government (short term or rehabilitative care and home and community based services will not be considered).

“Immigrants are a vital part of our community who deserve access to services like healthcare and other public benefits without fear of future repercussions,” said Luvia Quiñones, Senior Director of Health Policy at ICIRR. “While we believe that public charge restrictions should not be part of our immigration laws, we welcome the Biden administration’s final public charge rule as an important step to help mitigate the tension, confusion and fear that immigrants experience as they seek services for themselves and their families.”

“With the publication of this final public charge rule, the Biden administration is taking an important stand in protecting immigrants' access to public benefits and services, and ensuring all have their basic needs met without fear,” said Sylvia Puente, President & CEO of the Latino Policy Forum.

The final rule will be effective on December 23, 2022.

We recognize that anti-immigrant forces will continue to fight for their agenda and that they will challenge this rule as part of that effort. PIF-IL remains committed to defending and protecting immigrant rights in accessing benefit services for themselves and their families.

PIF-IL encourages families to continue to receive the health care services for which they are eligible, including services related to COVID-19. PIF-IL asks organizations and individuals advocating on behalf of immigrant families to visit the [Protect Immigrant Families Coalition Website](#) or email pifillinois@povertylaw.org to learn more about the new rule and access relevant resources.

The PIF-IL coalition will host a Facebook Live event for community members on Tuesday, September 13 at 5:30pm to give background and explain the implications of the rule. Additional information on the live stream will be shared at a later time at [facebook.com/icirr](https://www.facebook.com/icirr).

Protecting Immigrant Families Illinois members: AIDS Foundation of Chicago, Asian Human Services, Catholic Charities, Diocese of Joliet, Elevate Energy, Erie Family Health Center, DuPage Federation, Greater Chicago Food Depository, Health & Medicine Policy Research Group, , Healthy Illinois Campaign, Housing Action Illinois, Illinois AAP, Illinois Coalition for Immigrant and Refugee Rights (ICIRR), Latino Policy Forum, Legal Aid Society of Metropolitan Family Services, Legal Council for Health Justice, National Immigrant Justice Center, Ounce of Prevention Fund, Shriver Center on Poverty Law, University YMCA

###