Opposing The Proposed Public Charge Rule

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Last month, the U.S. Department of Homeland Security (DHS) released a proposal that would repeal the 2022 public charge rule. The 2022 policy and current guidelines consider lawful permanent residency (green card) applicants who have used cash assistance or have received long-term care through Medicaid. However, the proposed rule would make the determination based on an applicant's use of any health or social program. This massive shift will only deter more immigrant families from seeking support from programs they are eligible for.

What is Public Charge?

"*The “public charge” inadmissibility test has been part of federal immigration law for over 140 years. It is designed to identify individuals who may rely on the government as their primary source of support in the future. If an immigration or consular official determines that someone is likely to become a “public charge,” the government can deny that person’s application for admission to the United States or an application for lawful permanent resident status (LPR status, also called a “green card”).*" [1]

“This proposed rule will only make it more difficult and more confusing for mixed-status immigrant families in our state to access the vital healthcare, nutrition, and other services

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they need. More than 181,000 U.S.-born residents in Utah live with at least one immigrant parent. This proposal will only cause more confusion, fear, and chaos for families instead of creating greater opportunities for them to integrate and develop thriving opportunities for their children's future."

- Ciriac Alvarez Valle, Senior Policy Analyst.

Three Things Utahns Need To Know About the Proposed Rule

You Can Help Fight The Fear

In the past, Utah immigrant families have experienced the chilling effect from the changes, including confusion, increased fear, and many choosing to disenroll from programs they were eligible for because of proposed changes to the public charge rule and other immigration related policies.

Two key points immigrant families can consider when making their decision are:

1. This proposed rule remains open for comments, allowing families to use that information to decide whether to continue using the programs for which they and their families are eligible.
2. A reminder that the "public charge" inadmissibility test does not apply to everyone.

You or Your Organization Can Take Action

As the 30-day comment period has begun, we encourage partners, allies, leaders, and community organizations to submit comments opposing this change. Or, as an individual, you can submit a comment about how this proposed rule will harm Utah's immigrant families, you know and love.

Protecting Immigrant Families is coordinating a coalition-wide organizational sign-on comment opposing the 2025 DHS Public Charge NPRM. We invite your organization to join this effort and stand with immigrant families across the country. Deadline to sign on is December 18th, 2025

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Sign Here

You can make a difference by submitting your own comment. Submit a comment today by going to: https://www.regulations.gov/commenton/USCIS-2025-0304-0001

Cut and paste your comment into the blank space (up to 5,000 words)

Or upload your comment as a file and any attachments as well.

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This Is Only One Piece Of A Larger Trend

Over the past year, immigrant families have experienced increased fears and worries as ICE arrests have increased, statuses have been revoked, and changes to eligibility for programs have been passed. This policy is another hit immigrant families are going to take. In the proposed rule, the Department acknowledges that families who qualify may choose to disenroll for these same reasons, and instead of seeing it as a positive, we know that those costs only shift to emergency departments, local food banks, and other programs as families in need seek support elsewhere.

Conclusion

In response to this proposal, Voices for Utah is committed to taking action by advocating against this proposed rule and other policy changes that only sow greater fear and disenrollment of programs that families need. We urge lawmakers and community leaders to join us in opposing this proposed rule change and to advocate for a Utah where all children, regardless of their background, can thrive.

[1] Public Charge: What Advocates Need to Know - Protecting Immigrant Families

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