

Oppose the New “Public Charge” Rule Change

For over 100 years, existing law has barred entry to immigrants likely to be a “public charge.” Federal regulations long defined “public charges” as only those likely to become *primarily* dependent on the government for subsistence. This week, the Administration published a new proposal that would significantly expand that definition to *any* use of certain public benefits. The rule would apply to visa and green cards (law permanent resident) applicants, both new applicants overseas and those applying for changes or extensions in the U.S., and their dependents—even U.S. citizen children.

Legal immigrants must already wait five years before they are eligible for public benefits. Under the proposed rule, *any* use of Medicaid, Medicare Part D, Supplemental Nutrition Assistance Program (SNAP), or Section 8 housing vouchers or rental assistance could be grounds for denying a visa or green card change or extension. Congress currently requires most new applicants to have a financial sponsor, usually a family member who is a U.S. citizen, with an income of at least 125% of the Federal Poverty Line. The new rules would require the applicant themselves to meet this income requirement, which many cannot.

- **JCPA urges Congress to oppose the Administration’s proposed public charge rule.** These changes would decrease *legal* immigrants’ access to many of the federal safety net programs long supported by the Jewish community and pressure millions to forego needed medical, mental health, and nutrition services.
- **Public assistance programs are vital for helping new immigrants be productive and integrate into the U.S.** Studies show that legal immigrants use public benefits at lower rates than U.S. citizens while paying more in taxes than they use in benefits. These programs were particularly important to immigrants of all religions, including Jewish immigrants from the former Soviet Union in the 80s and early 90s.
- **These changes would essentially force legal immigrant families to choose between their legal residency and meeting their family’s basic needs, such as food, shelter, and medical care.** Even for immigrants who are not directly affected, the new rule would likely have a chilling effect—harming millions of legal immigrants. This places already vulnerable populations, particularly children and the elderly, at even greater risk of hunger, homelessness, and illness. Programs like health care, housing, and nutrition assistance help new immigrants thrive and remain productive as they integrate into a new society.
- **In the 1930s, the State Department used changes to public charge rules to deny Jews and other immigrant groups fleeing persecution entry into the U.S.** The proposed rule would reward families earning over \$62,000 annually while penalizing applicants earning less. A system favoring wealthy immigrants runs contrary to our vision of America as the Land of Opportunity.

For more information, please contact Tammy Gilden, Senior Policy Associate at the Jewish Council for Public Affairs, at tgilden@thejcpa.org.

The Jewish Council for Public Affairs (JCPA) is the hub of the Jewish community relations network, representing over 125 local Jewish community relations councils and 16 national Jewish agencies. Together our network builds consensus on behalf of the entire Jewish community to promote a just and pluralistic American society, advocate for human rights around the world, and support Israel's quest for peace and security.