

December 19, 2025

Department of Homeland Security
20 Massachusetts Avenue NW
Washington, DC 20529
Submitted electronically

Re: DHS Docket No. USCIS- 2025-0304, RIN 1615-AD06, Comments in Response to Proposed Rulemaking: Inadmissibility on Public Charge Grounds

Dear Secretary Noem and DHS Staff:

I write on behalf of the Alliance to End Hunger (the Alliance) in response to the Department of Homeland Security's Notice of Proposed Rulemaking (NPRM) to express our opposition to the changes proposed to "public charge" that were published in the Federal Register on November 19, 2025. We ask that DHS withdraw the proposed rule.

The Alliance to End Hunger is a coalition of over 100 corporations, national non-profits, faith-based organizations, universities, foundations, and international organizations. We work to address today's hunger and malnutrition needs and to solve the root causes of hunger at home and abroad with a shared conviction that ending hunger is both essential and possible.

The Alliance objects to the proposed rule as we believe it would reduce clarity and open the possibility of varying interpretations of the law causing confusion and unequal determinations.

The proposed rule might be interpreted to allow the past or current participation in a federal nutrition program to count against an application for a green card by people who are legally present and eligible under federal law.

The public charge rule currently states that those applying for a green card will not be penalized when U.S. citizen children or other eligible family members take part in public programs that help them access food, nutrition, and support for good health. The proposed rule appears to expand scrutiny of benefits used by family members by removing explicit language that receipt of benefits on behalf of others does not count against the applicant.

Federal nutrition programs support the ability of children to grow and learn and adults to contribute to society at their fullest potential. Programs including the Supplemental Nutrition Program for Women, Infants, and Children (WIC) and the Supplemental Nutrition Assistance Program (SNAP) help people obtain enough healthful food to eat every day, support the growth of infants and young children, advance the education of children and young adults, and the ability of adults to work.

It is well-researched and documented that WIC ensures healthy pregnancies for mothers, improved birth outcomes and reduced nutritional deficits in infants, and access to healthy foods

and nutrients, and improved eating habits and positive health outcomes for young children.ⁱ The benefits of WIC are able to reach mothers and children at critical times of development no matter the immigration status of parents; all children deserve a healthy start in life.

SNAP improves food security, and with adequate benefits, SNAP can improve dietary intake and health, especially among children, with effects that persist into adulthood; SNAP supports academic outcomes.ⁱⁱ The loss or reduction of SNAP benefits can harm people's health and well-being.ⁱⁱⁱ

The proposed rule removes clear limits in current regulations around which benefits may be considered "means-tested public benefits." The proposal describes benefits and programs as "public resources," "any type of public resources," and "public benefit programs." The ambiguity of these descriptions can lead to confusion and unequal treatment. Making the green card application process more ambiguous and less sure for family members will deter eligible people from applying for and utilizing federal nutrition program benefits.

In our nation's history, Congress and presidential administrations have not allowed for current or previous participation in federal nutrition programs to count against people's ability to obtain a green card so they can work. In 1999, the United States Department of Agriculture advised that "neither the receipt of food stamps nor nutrition assistance provided under the Special Nutrition Programs administered by USDA should be considered in making a public charge determination."^{iv} Also in 1999 a Notice of Proposed Rulemaking provided that non-cash benefits, as well as "supplemental, special-purpose cash benefits should not be considered" for public charge purposes.^v

In 2022, DHS made clear that consideration of the receipt of public benefits by an alien's dependents, such as a U.S. citizen child in a mixed-status household was prohibited.^{vi} The 2022 Final Rule excludes consideration of the receipt of, or certification or approval for future receipt of excluded benefits including SNAP or other nutrition programs.^{vii}

We encourage DHS to continue to acknowledge the importance of food and nutrition to individual and societal health and well-being. This rule will harm, not help, people in our nation. We encourage DHS to work across federal agencies to institute and strengthen policies that help citizens and immigrants support themselves and care for their families.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karen K. Ehrens", with a long horizontal flourish extending to the right.

Karen K. Ehrens, RDN
U.S. Policy Manager
Alliance to End Hunger

ⁱ Kathryn Fingar, et al., "Reassessing the Association between WIC and Birth Outcomes Using a Fetuses-at-Risk Approach," 21 J. Maternal and Child Health 825 (2017); Ralitza Gueorguieva, et al., "Length of prenatal participation in WIC and risk of delivering a small-for-gestational-age infant: Florida, 1996-2004," 13 J. of Maternal

Child Health 479 (2009); Marianne Bitler & Janet Currie, “Does WIC Work? The Effects of WIC on Pregnancy and Birth Outcomes,” 1 J. of Policy Analysis & Mgmt. 73 (2005); Au, L. E., Paolicelli, C., Gurzo, K., Ritchie, L. D., Weinfield, N. S., Plank, K. R., & Whaley, S. E. (2019). Contribution of WIC-Eligible Foods to the Overall Diet of 13- and 24-Month-Old Toddlers in the WIC Infant and Toddler Feeding Practices Study-2. *Journal of the Academy of Nutrition and Dietetics*, 119(3), 435–448. <https://doi.org/10.1016/j.jand.2018.11.001>; Shinyoung, J., Catellier, D. J., Eldridge, A. L., Dwyer, J. T., Eicher-Miller, H. A., & Bailey, R. L. (2018). Usual Nutrient Intakes from the Diets of US Children by WIC Participation and Income: Findings from the Feeding Infants and Toddlers Study (FITS) 2016. *The Journal of Nutrition*, 148, 1567S-1574S. <https://doi.org/10.1093/jn/nxy059>.

ii “The Role of the Supplemental Nutrition Assistance Program in Improving Health and Well-Being” <https://frac.org/wp-content/uploads/hunger-health-role-snap-improving-health-well-being.pdf>

iii Ettinger de Cuba, S., Harker, L., Weiss, I., Scully, K., Chilton, M., & Coleman, S. (2013). *Punishing Hard Work: The Unintended Consequences of Cutting SNAP Benefits*. Boston, MA: Children’s HealthWatch; Bovell, A., Ettinger de Cuba, S., Scully, K., Chilton, M., & Coleman, S. (2014). *Making SNAP Work for Families Leaving Poverty*. Series – Hunger: A New Vital Sign. Boston, MA: Children’s HealthWatch.

iv 64 FR 28676, 28688 (May 26, 1999)” at <https://www.federalregister.gov/d/2025-20278/p-207>

v 64 FR 28676, 28692-93 (May 26, 1999)

vi 87 FR 55472, 55474 (Sept. 9, 2022)

vii <https://www.federalregister.gov/d/2025-20278/p-259>