



Kristi Noem
Secretary of Homeland Security
Washington, D.C. 20528

Re: DHS Docket No. USCIS-2025-0304 – Public Charge Ground of Inadmissibility

Dear Secretary Noem:

As Mayor of the City of Irvine, I write to respectfully urge the Department of Homeland Security (DHS) to withdraw the November 19, 2025 Notice of Proposed Rulemaking on the public charge ground of inadmissibility and retain the 2022 final rule. The existing rule reflects more than a century of legal precedent, provides clear and workable guidance to families and service providers, and helps local governments like ours ensure that children have access to the nutrition and health care they need to thrive.

The proposed rule's rescission of clear regulatory standards, combined with a shift toward informal policy guidance, risks creating confusion and a powerful "chilling effect" among immigrant families—including U.S. citizen children in mixed-status households—who may forgo vital programs out of fear that doing so could jeopardize a future immigration application. As DHS itself acknowledges, reduced participation in nutrition and health programs would make our communities sicker and poorer and undermine efforts to end childhood hunger.

If DHS nevertheless moves forward, I urge the Department to:

- Use the full notice-and-comment process for any policy or tools that will govern public charge determinations;
- Clearly reaffirm that any changes will apply only prospectively and will not penalize individuals who relied in good faith on prior rules;
- Make explicit that benefits used by eligible household members, including U.S. citizen children, are not treated as benefits received by the applicant; and
- Establish clear guardrails that exclude core nutrition programs—such as SNAP, WIC, school and summer meals, and Summer EBT—from public charge consideration, to avoid further chilling effects and harm to children and schools.

Thank you for your attention to this matter and for considering the perspective of local governments working every day to ensure that all children, regardless of their family's immigration status, can grow up healthy, educated, and able to contribute fully to our communities.

Sincerely,

Larry Agran

Mayor, City of Irvine