



Freedom Network USA

December 18, 2025

Submitted via www.regulations.gov

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

Re: DHS Docket No. USCIS-2025-0304, US Citizenship and Immigration Services

Freedom Network USA (FNUSA) is the nation's largest coalition of human trafficking service providers, advocates, survivors, and attorneys. Our members work directly with survivors as they escape trafficking and work to rebuild their lives. Access to social services is a critical part of this process, allowing survivors to focus on healing and building financial stability by providing them with some assistance with certain financial burdens. FNUSA opposes the proposed rule to rescind the 2022 public charge ground of inadmissibility regulations because it will devastate anti-trafficking efforts and prevent survivors from coming forward to seek help and safety.

The T nonimmigrant visa was established to provide basic protections to survivors fleeing trafficking so they could assist law enforcement in an investigation and start to rebuild their lives. Trafficking is a crime rooted in financial exploitation, leaving survivors with little to no money after trafficking. This prevents them from finding safe, long-term housing, stable jobs, education, childcare, or healthcare. Access to public benefits provides the bare minimum of assistance needed for survivors to seek economic stability. When survivors have access to healthcare and food assistance, they are also provided with the necessary time to seek mental healthcare and build financial stability. Access to these basic benefits creates a stopgap that can also allow survivors the time and capacity to assist law enforcement. Trafficking survivors are only eligible for these benefits in narrow circumstances: with a Child Eligibility Letter or with a T visa bona fide determination or work permit. These benefits are time-limited and frequently do not cover the entire T visa determination waiting period (25.5 months as of 12/16/2025).

The 2022 public charge regulation (2022 Rule) codified the intent of Congress, established in the Victims of Trafficking and Violence Protection Act of 2000 and subsequent reauthorizations (TVPA), that survivors of trafficking are entitled to access public benefits, regardless of immigration status. The provision at 8 CFR § 212.22(d) protects survivors' access to entitled benefits. This was intended to alleviate survivors' fears of potential deportation if they came forward to seek help. Without assurance they could access health insurance, nutrition support, or state benefits without ending up in an unprotected immigration status, survivors did not come forward and did not seek help. Prior to the 2022

Rule, survivors were concerned they could not even access case management without threatening a future immigration determination. Traffickers use the possibility of deportation or detention as a tool of coercion against survivors, and preventing them from accessing benefits they are entitled to can be part of their tactics to keep someone in exploitation. The 2022 Rule has helped service providers ensure survivors have what they need to escape and rebuild their lives with less fear, putting power in survivors' hands instead of traffickers'.

Rescinding the 2022 Rule will put survivors in a state of limbo where they are unsure whether or not they can safely utilize lifesaving benefits. The existing sub-regulatory guidance does not reflect the complex needs of survivors, nor the statutory requirements for public charge determinations involving survivors established in the TVPA. Revoking the clarification at 8 CFR § 212.22(d) undermines the statutory exemption established by Congress in the TVPA. The exemption was intended to prevent harmful discretionary decisions from adjudicators untrained in victim-based petitions. Without this protection in place, increased discretion will prevent survivors from accessing the benefits they are entitled to and will deter many from seeking help.

We oppose the proposed rule to rescind the 2022 public charge ground of inadmissibility regulations and urge USCIS to withdraw the proposed rule. Trafficking survivors require basic benefits access in order to escape trafficking. Human trafficking cases take time and immense assistance from survivors to build. Without assistance, survivors are unable to assist law enforcement in prosecuting traffickers. Access to benefits also prevents trafficking by providing economic stability to immigrants who are vulnerable to trafficking. Rescinding the 2022 Rule will put survivors in danger and provide traffickers with another tool of coercion.

At a minimum, the Department should immediately clarify that any changes will not be retroactive. Since the 2022 Rule states that the only programs that may be considered in the public charge assessment are cash assistance for income maintenance or long-term institutionalization at government expense, going forward, no other benefits should be considered if they were received while these regulations remain in effect.

Thank you for your consideration of this comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Emma Ecker". The signature is fluid and cursive, with the first name "Emma" being more prominent than the last name "Ecker".

Emma Ecker
Senior Policy Specialist
Freedom Network USA