

December 19, 2025

Ms. Samantha Deshombres
Chief, Regulatory Coordination Division
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
5900 Capital Gateway Drive
Camp Springs, MD 20746

RE: DHS Docket No. USCIS-2025-0304; RIN 1615-AD06, Public Charge Ground of Inadmissibility

Submitted via: [regulations.gov](https://www.regulations.gov)

Dear Chief Deshombres:

On behalf of the 79 undersigned organizations, we submit this comment in opposition to the changes in the Notice of Proposed Rulemaking on the Public Charge Ground of Inadmissibility, published in the Federal Register on November 19, 2025 (hereinafter "2025 Proposed Rule" or "NPRM").¹

Our organizations work daily to assist, uplift, and advocate for immigrant survivors of domestic violence, sexual assault, child abuse, human trafficking, and other forms of violence and exploitation. Given the focus of our work, **we strongly oppose the 2025 Proposed Rule and call for its immediate withdrawal**, as it undermines the safety and well-being of the vulnerable populations we serve.

The 2025 proposed rule seeks to rescind the 2022 Public Charge Final Rule² without proposing corresponding specific replacement regulatory text. Instead, the preamble indicates that the Department of Homeland Security (DHS) will rely on future "policy and interpretive tools" to guide adjudicator discretion.³ The absence of defined regulatory criteria in the 2025 Proposed Rule creates significant uncertainty for the U.S. Citizenship and Immigration Services (USCIS) adjudicators, Green Card applicants, and service providers, increasing the risk of arbitrary and discriminatory decisions.

While survivor-specific forms of immigration status created by the Violence Against

¹ "Public Charge Ground of Inadmissibility," 90 FR 52168 (November 19, 2025), available at <https://www.federalregister.gov/documents/2025/11/19/2025-20278/public-charge-ground-of-inadmissibility> (Hereinafter "2025 Proposed Rule").

² Final Rule, Public Charge Ground of Inadmissibility, 87 FR 55472 (September 9, 2022), available at <https://www.federalregister.gov/documents/2022/09/09/2022-18867/public-charge-ground-of-inadmissibility>.

³ 2025 Proposed Rule at 52183.

Women Act (VAWA) and the Trafficking Victims Protection Act (TVPA) are statutorily exempt from the public charge ground of inadmissibility,⁴ many survivors may not seek these forms of relief, including for reasons related to their safety and well-being.

The 2025 Proposed Rule may, however, apply to family members sponsored by survivors or to other family members living in their households. In addition, many survivors of domestic violence, sexual assault, and human trafficking pursue other routes to secure immigration status that lack explicitly statutory exemptions. Survivors in the U.S. on student or employment-based visas may encounter additional barriers to safety because of this proposed rule, as may survivors who seek a Green Card based on applications or petitions that are not specifically designed for crime survivors.

I. The 2025 Proposed Rule Undermines Pathways to Safety and Stability for Survivors of Domestic Violence, Sexual Assault, and Human Trafficking

A bipartisan majority in Congress recognized the unique vulnerabilities of survivors by statutorily exempting VAWA self-petitioners, T visa holders (victims of human trafficking), and U visa holders (victims of certain qualifying crimes) from the public charge ground of inadmissibility.⁵ The 2025 Proposed Rule will nevertheless disproportionately impact a wide range of immigrant survivors of domestic violence, sexual assault, and human trafficking and deter them from accessing essential services and programs to escape abuse.

A. Economic Abuse & Gender-based Violence As Barriers to Safety

As the 2025 Proposed Rule notes, Congress's prohibition of consideration of prior receipt of benefit by a specific class of immigrants (such as certain domestic violence victims) suggests that Congress understood and accepted that consideration of past receipt of public benefits in other circumstances was appropriate in making a public charge determination.⁶ However, by removing the provisions of the 2022 Final Rule, DHS provides no specific criteria or guidance on the factors and evidence adjudicators will consider in making public charge determinations. This is especially harmful for survivors of domestic violence, sexual assault, and human trafficking who experience significant health, employment, educational, and financial consequences due to the abuse they have suffered.

Domestic and sexual violence is pervasive nationwide. About 41% of women and 26% of men experienced contact sexual violence, physical violence, or stalking by an intimate partner during their lifetime.⁷ Research cited by the Centers for Disease Control and

⁴ See 8 U.S.C. 1182(a)(4)(E); See also 8 CFR 212.23

⁵ See e.g. INA § 212(a)(4)(E)(i); INA § 212(a)(4)(E)(ii), INA § 212(d)(13)(A);

⁶ 2025 Proposed Rule at 52178,

⁷ Centers for Disease Control and Prevention. "About Intimate Partner Violence", available at <https://www.cdc.gov/intimate-partner-violence/about/index.html>. The Centers for Disease Control and Prevention also notes that over 61 million women and 53 million men have experienced psychological aggression by an intimate partner in their lifetime.

Prevention (CDC) indicates that intimate partner victimization is associated with economic, food, and housing insecurity.⁸ Abusers commonly prevent survivors from accessing or acquiring financial resources in order to maintain power and control in the relationship.⁹ Survivors may be forced to stay with abusers because they depend on them for financial support or housing. In one study, 99% of domestic violence victims reported experiencing economic abuse.¹⁰ In another, two-thirds of respondents said their abusive partner's behavior negatively impacted their educational and job training opportunities.¹¹

The National Immigrant Women's Advocacy Project (NIWAP) released a survey outlining that immigrant survivors commonly experience economic abuse that increases dependence on the abuser.¹² In 2022, Her Justice also released a comprehensive policy report providing critical insights into the importance of access to employment authorization to immigrant survivors.¹³ A survey of their clients revealed that:

- While suffering from abuse and lacking immigration status, 86% of the participants in the survey were denied equal access to family money by their abusers;
- 76% of participants said their abusive partners threatened to withhold money from them;
- 71% said abusers used this power over financial resources to control their behavior.¹⁴

Economic abuse can have devastating long-term effects on quality of life, financial security, and independence.¹⁵ Furthermore, domestic violence can cause survivors who

⁸ NISVS. "An Overview of Intimate Partner Violence in the United States — 2010 Findings", a https://www.wvdhhr.org/wvhomevisitation/pdf/IntimatePartnerViolenc_FactSheet.pdf

⁹ National Network to End Domestic Violence. "Financial Abuse Fact Sheet" available at: <https://nnedv.org/wp-content/documents/Financial%20Abuse%20Fact%20Sheet%20-%20May%202025%20EN.pdf>

¹⁰ Adrienne E. Adams. CFS Research Brief 2011-5.6 "Measuring the Effects of Domestic Violence on Women's Financial Well-Being" Center for Financial Security, University of Wisconsin-Madison, available at <https://cfs.wisc.edu/wp-content/uploads/2015/04/adams2011.pdf>

¹¹ Cynthia Hess, Ph.D. and Alona Del Rosario M.A. "[Dreams Deferred: A Survey on the Impact of Intimate Partner Violence on Survivors' Education, Careers, and Economic Security](#)", Institute for Women's Policy Research, available at <https://iwpr.org/dreams-deferred-a-survey-on-the-impact-of-intimate-partner-violence-on-survivors-education-careers-and-economic-security/>

¹² Leslye E. Orloff, J.D., et al., American University, National Immigrant Women's Advocacy Project, Transforming Lives: How the VAWA Self-Petition and U visa Change the Lives of Survivors and Their Children After Employment Authorization and Legal Immigration Status (June 8, 2021) (hereinafter "NIWAP study"), available at <https://niwaplibrary.wcl.american.edu/pubs/transforming-lives-final-report/>

¹³ Her Justice. "Stories from Immigrant Survivors of Gender-Based Violence: The Impact of Work Authorization" (2022), available at <https://herjustice.org/wp-content/uploads/2023/11/Her-Justice-Policy-Report-Impact-of-Work-Authorization.pdf> (hereinafter "Her Justice Report")

¹⁴ Her Justice Report at 24.

¹⁵ Laura Johnson et al. "Examining the impact of economic abuse on survivors of intimate partner violence: a scoping review" National Library of Medicine. (2022), available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC9121607/>

were not previously low-income to fall into poverty, as research connects domestic violence to increased risk of unemployment and homelessness.¹⁶ "Violence undermines a survivor's ability to work, find a safe place to live, and do what's necessary to lead a stable life."¹⁷ The CDC notes that "the lifetime economic costs associated with medical services for intimate partner violence (IPV) related injuries, lost productivity from paid work, criminal justice, and other costs are \$3.6 trillion. The cost of IPV over a victim's lifetime was \$103,767 for women, with 59% of that total going to medical costs.¹⁸ Similarly, the estimated lifetime cost of rape was \$122,461 per victim.¹⁹

Without any clear criteria, the 2025 Proposed Rule may deter victims from obtaining the healthcare and other services they need to heal from abuse. Many survivors face a myriad of short and long-term health consequences as a result of the abuse they have endured. A recent study found that common physical health outcomes associated with IPV include chronic pain, cardiovascular conditions, gastrointestinal disorders, neurological problems, gynecological and reproductive health issues, and respiratory conditions.²⁰ Additionally, the mental health outcomes of IPV are well documented and include anxiety, depression, suicidal ideation and behavior, post-traumatic stress disorder (PTSD), sleep disorders, and other behavioral health challenges.²¹

A survey of human trafficking survivors noted that ongoing health problems negatively impacted outcomes, as survivors experienced sustained anxiety and discomfort, exacerbated medical conditions, which impacted their ability to work or take care of themselves.²² Trafficking survivors also reported long-term mental health needs that they had not received treatment for or were just beginning to get treatment for. "Some did not prioritize mental health care until their early focus on survival needs subsided and their emotional and stress reactions began coming to the surface."²³

¹⁶ Center for Budget and Policy Priorities. "TANF and Domestic Violence: Cash Assistance Matters to Survivors (October 21, 2021), available at <https://www.cbpp.org/research/income-security/tanf-and-domestic-violence-cash-assistance-matters-to-survivors>. See also Domestic Violence Housing First. "The Intersection of Domestic Violence and Homelessness (June 2013) available at <https://wscadv.org/wp-content/uploads/2015/05/IntersectionPaperDVHF.pdf>

¹⁷ Center for Budget and Policy Priorities. "TANF and Domestic Violence: Cash Assistance Matters to Survivors (October 21, 2021), available at <https://www.cbpp.org/research/income-security/tanf-and-domestic-violence-cash-assistance-matters-to-survivors>

¹⁸ Centers for Disease Control and Prevention. "About Intimate Partner Violence", available at <https://www.cdc.gov/intimate-partner-violence/about/index.html>, citing Peterson C, Kearns MC, McIntosh WL, Estefan LF, Nicolaidis C, McCollister KE, & Florence C. (2018). Lifetime Economic Burden of Intimate Partner Violence Among U.S. Adults. *American Journal of Preventive Medicine*, 55(4), 433-444

¹⁹ Peterson C, DeGue S, Florence C, Lokey CN. Lifetime Economic Burden of Rape Among U.S. Adults. *Am J Prev Med.*(June 2017), available at <https://pubmed.ncbi.nlm.nih.gov/28153649/>

²⁰ Lisa Fedina, PhD. "Health Effects of IPV on Individuals Experiencing IPV Across the Lifespan", (May 2024) available at <https://www.ncbi.nlm.nih.gov/books/NBK605462/>

²¹ *Id.*

²² Laudan Y. Aron, et al. "Comprehensive Services for Survivors of Human Trafficking" (July 31, 2007), available at <https://www.urban.org/research/publication/comprehensive-services-survivors-human-trafficking>

²³ *Id.*

Thus, survivors of domestic or sexual violence or human trafficking may have complex and multiple health concerns as a result of their victimization. They may not have access to private health insurance, nor the financial resources to pay for the costs related to the injuries they have suffered. "Poverty and economic instability may make it more difficult to cope with the physical, psychological, and financial impacts of domestic violence and sexual assault."²⁴ Survivors of domestic violence and sexual assault may lose their jobs due to trauma, reduced productivity, harassment at work by perpetrators, and other reasons stemming from the violence. The 2025 Proposed Rule should not punish victims for the economic abuse they have experienced. By removing any discernible criteria in considering the public charge ground of inadmissibility, the 2025 Proposed Rule is silent on how factors related to IPV are assessed, creating instability and fear.

DHS must not ignore the supportive and protective effects of stable immigration status for survivors. Secure immigration status can help survivors access employment opportunities, escape violent relationships, and alleviate the trauma they have suffered. Yet through the proposed rule, DHS is setting up barriers for survivors to achieve the very thing DHS purports to value--self-sufficiency. The 2025 Proposed Rule notes that officers will evaluate public charge on a "case-by-case basis and in the totality of the circumstances, but provides no assurances that USCIS will appropriately account for factors that are caused by or related to abuse.

B. Barriers to Safety-Net Programs Endanger the Lives of Survivors and their Families

For victims of domestic violence, sexual assault, child abuse, human trafficking, and other forms of violence and exploitation, access to the social safety net, including housing assistance, nutrition programs, and healthcare, plays a critical role in enabling victims to leave abusive situations and stabilize their families. Most research finds that 50 to 60 percent of women who at any point experience domestic violence participate in economic security programs.²⁵ Research confirms that trauma-informed health and mental health services are a primary vehicle for reducing re-victimization and promoting greater stability for individuals recovering from abuse and exploitation.²⁶ Access to basic necessities is the foundation upon which mental health recovery is built. Without reliable food and housing, survivors remain in 'survival mode,' which impedes the psychological stability required to regain independence. By creating barriers to these safety-net programs, the 2025 Proposed Rule compromises the

²⁴ Shaina Goodman. "The Difference between Surviving and Not Surviving: Public Benefits Programs and Domestic and Sexual Violence Victims' Economic Security." (January 2018), available at https://vawnet.org/sites/default/files/assets/files/2018-10/NRCDDV-TheDifferenceBetweenSurvivingandNotSurviving-UpdatedOct2018_o.pdf

²⁵ Center for Budget and Policy Priorities. "TANF and Domestic Violence: Cash Assistance Matters to Survivors (October 21, 2021), available at <https://www.cbpp.org/research/income-security/tanf-and-domestic-violence-cash-assistance-matters-to-survivors>

²⁶ Carole Warshaw & Phyllis Brashler. "Mental Health Treatment for Survivors of Intimate Partner Violence," in *Intimate Partner Violence: A Health-Based Perspective* 335, 335-87 (Connie Mitchell & Deirdre Anglin eds., 2009).

success of health services and makes long-term self-sufficiency far harder to achieve.

Policies that penalize the use of these services undermine victim safety by creating barriers to help-seeking, increasing the likelihood that victims remain in dangerous environments, and limiting their ability to cooperate with law enforcement, courts, and service providers. This reality gives leverage to abusers and perpetrators of crime to use threats and intimidation and to escape accountability.

Critically, the public charge ground of inadmissibility is a forward looking determination, not a retroactive penalty for past hardship. For survivors, the use of public benefits after escaping abuse often reflects a crisis-driven need caused by violence and trauma, not an indication of future reliance. Access to safety net support often represents a critical bridge to safety and stability, allowing survivors to rebuild their lives following abuse.²⁷ By treating past receipt of benefits by survivors as predictive of future dependence, the 2025 Proposed Rule misunderstands the nature of abuse and contradicts the statutory purpose of the public charge ground of inadmissibility.

The 2025 Proposed Rule removes the limitations on factors to be considered in the public charge grounds of inadmissibility, purportedly to "more faithfully implement the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)."²⁸ It is overbroad and vague by design—stating that dependence on **any** benefit encourages immigration to the United States and is a clear national policy regarding welfare and immigration.²⁹ The suggestion that public benefits function as an incentive for immigrant survivors is unconscionable, insulting, and completely detached from reality, effectively punishing survivors for the harm they have endured.

The publication of the 2025 Proposed Rule adds to a broader wave of policy changes that restrict immigrant access to essential safety net benefits, including all federal health care programs. This includes new restrictions codified in H.R. 1, which cut Medicare and SNAP benefits for eligible victims of domestic violence, child abuse, or human trafficking, as well as asylees and refugees—many of whom currently are "qualified" immigrants under the law.

The 2025 Proposed Rule also blatantly ignores that PRWORA also contains exceptions for programs available to anyone, regardless of immigration status.³⁰ These

²⁷ NDVH, NRC DV and Casa de Esperanza: National Latin@ Network. "We Would Have to Stay: Survivors' Economic Security and Access to Public Benefits Programs" (November 2018), available at https://vawnet.org/sites/default/files/assets/files/2018-11/NRC DV_PublicBenefits-WeWouldHaveHadToStay-Nov2018.pdf

²⁸ 2025 Proposed Rule at 53183. PRWORA states that unless an immigrant is "qualified" they are ineligible for federal public benefits. This already creates an exceptionally narrow framework of who is eligible for public benefits as a starting line.

²⁹ 2025 Proposed Rule at 52186, quoting 8 U.S.C. 1601(2)(B).

³⁰ 8 USC 1611(b) and 8 USC 1621(b).

excepted programs include: Emergency Medicaid; short-term, non-cash disaster relief; public health assistance for immunizations and testing, and treatment of symptoms of communicable diseases; and programs, services, or assistance specified by the Attorney General necessary for the protection of life and safety (such as soup kitchens, crisis counselling and intervention, and short-term shelter) so long as no individual or household income is required. Instead, the 2025 Proposed Rule states that "the receipt of *any type of public benefits* by a qualified alien is relevant and indeed critical to determining whether an alien is actually self-sufficient."³¹

By refusing to provide any guidance on what benefits will– and will not– be considered in a public charge assessment, the Administration is choosing to create fear and uncertainty among immigrants that will predictably discourage them and their families from accessing benefits for which they are eligible. The restrictions proposed in the 2019 public charge rule already proved this to be true. One service provider reported that a victim of sex trafficking by her husband, a U.S. citizen, was finally able to escape to a shelter with her two young children, but when offered housing assistance, she initially declined out of fear that accepting that assistance would jeopardize her VAWA and T-visa petitions.³²

III. The 2025 Proposed Rule Creates a Chilling Effect, Harming Families and U.S. Citizen Children

DHS expressly acknowledges that the 2025 Proposed Rule will cause harm to immigrant families, acknowledging that it may dissuade individuals from enrolling in programs for which they may be eligible, or lead them to disenroll.³³ The agency estimates that it could impact an estimated 950,124 individuals and 35,294 households across public benefit programs.³⁴ Research from trusted non-partisan sources demonstrates that this ambiguity creates a massive "chilling effect" that endangers public health and safety.

- A 2025 survey from KFF reported that the share of immigrant adults who reported skipping or postponing health care increased from 22% in 2023 to 29% in 2025, with nearly one in five citing immigration-related concerns as the primary reason.³⁵
- According to an Urban Institute report, nearly one in four adults in mixed-status families (approximately 24%) avoided safety net programs like the Supplemental Nutrition Assistance Program (SNAP) or Medicaid in 2023

³¹ 2025 Proposed Rule at 53183.

³² Amicus Brief of Nonprofit Anti-Domestic Violence and Sexual Assault Organizations, available at <https://www.immigrantsurvivors.org/s/WA-v-DHS-Public-Charge-Amicus-Brief.pdf>

³³ 2025 Proposed Rule at 52209.

³⁴ *Id.*

³⁵ KFF, "Changes to Public Charge Regulations Will Likely Lead More Immigrant Families to Avoid Health Care and Assistance Programs" (November 18, 2025), available at <https://www.kff.org/immigrant-health/kff-new-york-times-2025-survey-of-immigrants-health-and-health-care-experiences-during-the-second-trump-administration/>

due to fears that it would jeopardize their or a family member's green card status.³⁶

In the absence of explicit regulatory protections, many parents may respond by withdrawing their U.S. citizen children from food and health programs out of concern that program participation could negatively affect their own immigration cases. Service providers and advocates report instances in which victims elect to discontinue benefits for eligible children as a risk-avoidance measure, and these decisions occur in the context of already limited household resources and heightened safety concerns.

On top of the grief, trauma, and challenges inherent to experiencing domestic violence, survivor parents have to make an impossible choice for their children. Reduced participation by U.S. citizen children in food and health programs is associated with adverse outcomes for child health, family stability, and economic security. Policies that indirectly discourage lawful access to these programs may therefore have broader public health and economic implications, particularly where they affect children who are legally eligible for benefits and whose well-being is directly linked to long-term educational, workforce, and health outcomes. The 2025 Proposed Rule acknowledges this—stating that the unquantified effects of the rule could include potential lost productivity, adverse health effects, additional medical expenses due to delayed health care treatment, among other consequences.³⁷

These acknowledged impacts of the 2025 Proposed Rule would effectively deprive U.S. citizen children of essential resources in order to penalize their immigrant parents, a policy outcome that undermines the nation's future economic stability and public health.

IV. Unique and Disproportionate Harms to Survivors Under the 2025 Proposed Rule

The 2025 Proposed Rule eliminates a critical safeguard at 8 CFR § 212.22(d) that explicitly provided that DHS would not consider any public benefits received by a noncitizen during periods in which they were present in an exempt immigration category (such as a T visa holder or VAWA self-petitioner).³⁸ This provision offered important regulatory clarity, allowing survivors to access needed services without uncertainty regarding how such use would be evaluated in future immigration adjudications.

As the 2022 Final Rule explained, this safeguard was necessary as Congress expressly exempted certain vulnerable populations from the public charge ground of inadmissibility by statute, including refugees, asylees, as well as survivors of domestic

³⁶ Dulce Gonzalez & Hamutal Bernstein, Urban Institute, "One in Four Adults in Mixed-Status Families Did Not Participate in Safety Net Programs in 2022 Because of Green Card Concerns" (August 17, 2023), available at <https://www.urban.org/research/publication/one-four-adults-mixed-status-families-did-not-participate-safety-net-programs-2022-because-green-card-concerns>.

³⁷ 2025 Proposed Rule at 52198.

³⁸ 8 CFR § 212.22(d) and (e) (2022).

violence and human trafficking.³⁹ By honoring these statutory exemptions, 8 CFR 211.22(d) ensured that individuals in exempt categories could access benefits without fear, enabling them to seek safety and stability when they were most vulnerable. Removing this protection undermines the statutory exemptions by reintroducing uncertainty about benefit use that Congress specifically authorized, weakening access to protections for survivors provided by law.

The 2025 Proposed Rule also inexplicably removes 8 CFR 212.23, the list of exemptions and waivers related to the public charge ground of inadmissibility which was included so that "the relegated public understands which applicants for admission and adjustment of status are either exempt from public charge grounds of inadmissibility or eligible for a waiver of the inadmissibility ground."⁴⁰ While DHS deems the list "useful for the public and for DHS officers," it is removing it anyway, citing redundancy with USCIS Policy Manual and other publicly available sources. This is a solution which only causes more problems. DHS specifically acknowledges that "elimination of certain definitions may lead to public confusion or misunderstanding of the proposed rule, which could result in decreased participation in public benefit programs by individuals who are not subject to the public charge ground of inadmissibility."⁴¹

V. Broader Economic and Community Harms of the 2025 Proposed Rule

The 2025 Proposed Rule acknowledges that reductions in Federal and State transfers under Federal benefits programs may have downstream and upstream impacts on State and local economies, large and small businesses, and people who rely on federally funded housing programs.⁴² It further estimates that individuals will need two to three hours to read and review the rule. However, the rule fails to account for the far more serious and lasting costs to communities when survivors and their families are left to cope with trauma without adequate support.

The gap in analysis is particularly troubling because DHS elsewhere recognizes that the rule could lead to unmeasured harms, including potential lost productivity, worsened health outcomes, and higher medical expenses due to delayed care.⁴³ As discussed above, the potential impact for survivors of domestic violence, sexual assault, human trafficking, and other crimes would be widespread and significant. When survivors are discouraged or prevented from accessing the support they need, they are more likely to experience ongoing harm, resulting in short- and long-term physical, mental, and financial consequences.

³⁹ 2022 Final Rule at 55574.

⁴⁰ 2025 Proposed Rule at 52192.

⁴¹ 2025 Proposed Rule at 52207.

⁴² 2025 Proposed Rule at 52170.

⁴³ 2025 Proposed Rule at 52198.

These harms do not disappear; rather, with the 2025 Proposed Rule, the DHS further shifts costs onto already burdened institutions to address them. Communities will see an increased demand for social services, such as emergency food banks, shelters, and crisis care. Hospitals and health centers will face higher uncompensated health care costs from overutilization of emergency rooms for medical care. Nonprofit service providers will be expected to meet growing and prolonged needs for victim support programs, such as emergency shelter and housing programs, for which only limited funding is available.

The 2025 Proposed Rule also ignores the real costs of community education and implementation. Advocates, service providers, and community partners will need to retrain staff and community stakeholders and help survivors navigate yet another shift in policy. For decades, a bipartisan majority in Congress has worked to provide immigrant survivors paths to safety, stability, and justice. The rule creates confusion and fear by reducing access to those paths, leaving them vulnerable to further abuse.

II. Procedural and Substantive Deficiencies of the 2025 Proposed Rule

The 2025 Proposed Rule is harmful to survivors in both substance and in form. Executive Order 12866 provides that agencies “should afford the public a **meaningful opportunity** to comment on any proposed regulation, which in most cases should include a comment period of **not less than 60 days**.”⁴⁴ DHS has only provided a 30-day comment period for the 2025 Proposed Rule, which is an insufficient time frame for stakeholders to fully address the very serious legal, economic, and community impacts. This is especially true given that DHS has also recently published several sweeping policy changes, including but not limited to, ending automatic extensions of employment authorization documents,⁴⁵ indefinite pauses on asylum applications,⁴⁶ and the suspension of adjudicating benefit requests for individuals from the 19 travel ban countries.⁴⁷ DHS has not provided any clear justification or rationale for the shortened comment period for the NPRM (while providing a 60-day comment period for the Paperwork Reduction Act information collections). This shortened comment period undermines the agency’s ability to consider all “relevant matters presented” as required under the Administrative Procedure Act.⁴⁸

Further, DHS proposes to rescind the 2022 Final Rule to more “accurately, precisely, and reliably assess public charge inadmissibility grounds.”⁴⁹ This assertion is incoherent and indefensible, as the 2025 Proposed Rule eliminates clarity rather than enhances it. DHS

⁴⁴ [Emphasis added]. Executive Order 12866 58 Fed. Reg. 190 (September 30, 1993), available at <https://www.archives.gov/files/federal-register/executive-orders/pdf/12866.pdf>

⁴⁵ Interim Final Rule (‘IFR’) with request for comments, Removal of Automatic Extension of Employment Authorization Documents” 90 FR 48799 (October 30, 2025), available at <https://www.regulations.gov/document/USCIS-2025-0271-0001> (Hereinafter “2025 IFR”).

⁴⁶<https://www.uscis.gov/sites/default/files/document/policy-alerts/PM-602-0192-PendingApplicationsHighRiskCountries-20251202.pdf>

⁴⁷ Id.

⁴⁸ 5 U.S.C. 553(c).

⁴⁹ 2025 Proposed Rule at 52207.

provides no actual framework or guidance of any kind in terms of how it will evaluate and assess public charge. This absence of any regulatory language makes meaningful comment impossible. The practical impact is not improved adjudications, but rather a deliberate limit on paths to legal status built on the pretext of public benefit usage that is already severely limited by law.

VI. Conclusion

By rescinding defined regulatory criteria and protections, the 2025 Proposed Rule reintroduces uncertainty into the adjudication process and expands discretion in ways that disproportionately affect low-income immigrants, including individuals Congress has expressly sought to protect.

For victims of domestic violence, sexual assault, child abuse, human trafficking, and related forms of exploitation, the removal of clear regulatory guardrails acts as a force multiplier for their abusers. It hands abusers a powerful tool of coercive control: the threat that seeking help—housing, food, or medical care—will lead to deportation. Policies that treat access to housing, nutrition, or medical assistance as adverse factors may deter help-seeking, increase vulnerability to coercion by abusers, and undermine the effectiveness of victim protection frameworks embedded in statutes such as the Violence Against Women Act and the Trafficking Victims Protection Act.

We request that DHS withdraw the 2025 Proposed Rule in its entirety as it will impose an unjustified burden on survivors and their families, harming their ability to gain stability and independence following victimization. We can, and must, do better for survivors, for our communities, and for our country.

Respectfully submitted,

National Organizations

Asian Pacific Institute Gender-Based Violence
ASISTA Immigration Assistance
Center for Human Rights and Constitutional Law
Esperanza United
Freedom Network USA
Futures Without Violence
Immigrant Legal Resource Center
Jewish Women International
Joyful Heart Foundation
Just Solutions
Justice for Migrant Women
Legal Momentum, the Women's Legal Defense & Education Fund
National Alliance to End Sexual Violence

National Organization for Victim Advocacy (NOVA)
National Network To End Domestic Violence
National Resource Center on Domestic Violence
National Women's Law Center
Respect Together
Tahirih Justice Center
The Advocates for Human Rights
ValorUS
Young Center for Immigrant Children's Rights

State and Local Organizations

Arizona

Arizona Coalition to End Sexual and Domestic Violence

Arkansas

Arkansas Coalition Against Sexual Assault

California

Asian Americans for Community Involvement (AACI)
California Partnership to End Domestic Violence
Immigration Center for Women and Children
Survivor Justice Center

Colorado

Project PAVE

District of Columbia

DC Coalition Against Domestic Violence

Georgia

Georgia Coalition Against Domestic Violence
Raksha, Inc

Idaho

Idaho Coalition Against Sexual and Domestic Violence (ICASDV)

Illinois

Arab American Family Services
Illinois Coalition Against Domestic Violence

Indiana

Indiana Coalition to End Sexual Assault (ICESA)

Iowa

Iowa Coalition Against Domestic Violence
Monsoon Asians & Pacific Islanders in Solidarity

Kentucky

ZeroV

Maine

Maine Coalition to End Domestic Violence

Maryland

Maryland Coalition Against Sexual Assault
Maryland Network Against Domestic Violence

Massachusetts

Jane Doe Inc., the Massachusetts Coalition Against Sexual Assault and Domestic Violence
MetroWest Legal Services

Minnesota

Advocacy Center of Winona
Minnesota Coalition Against Sexual Assault
Violence Free Minnesota

Montana

Montana Coalition Against Domestic and Sexual Violence

Nevada

Nevada Coalition to End Domestic and Sexual Violence

New Jersey

New Jersey Coalition Against Sexual Assault

New Mexico

New Mexico Coalition of Sexual Assault Programs
Rebecca Kitson Law

New York

Arab American Family Support Center
Her Justice
New York State Coalition Against Domestic Violence
Womenkind

North Carolina

Safelight Inc.

Ohio

A.L.I.V.E., INC

Artemis Center

Auglaize County Crisis Center

Crime Victim Services

Equitas Health

Ohio Domestic Violence Network

Sandusky Valley Domestic Violence Shelter dba First Step

Oregon

Oregon Coalition Against Domestic and Sexual Violence

Pennsylvania

Justice at Work Pennsylvania

PA Immigrant and Refugee Women's Network

Pennsylvania Coalition to Advance Respect

Women's Center & Shelter of Greater Pittsburgh

Rhode Island

Rhode Island Coalition Against Domestic Violence

Texas

Daya Inc.

Opening Doors International Services, Inc.

Utah

Utah Domestic Violence Coalition

Virginia

Just Neighbors

Safer Country

Washington

Law Office of Shara Svendsen PLLC

Northwest Immigrant Rights Project

Washington State Coalition Against Domestic & Sexual Violence

Wisconsin

Wisconsin Coalition Against Sexual Assault