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*****FOR IMMEDIATE RELEASE*****

The Legal Aid Society Condemns New Proposed Public Charge Rule that Would Put Millions of Immigrant Families at Risk

(NEW YORK, NY) - The Legal Aid Society today released the following statement in response to the Trump Administration’s new rule rescinding the Biden-era public charge policy — a rule that safeguarded immigrant families from punitive and overbroad penalties for using essential public benefits. The newly proposed rule would instead grant immigration officers sweeping discretion to weaponize the public charge test and penalize the use of a wide array of benefits by those seeking a green card or other legal status.

“The announcement by the Department of Homeland Security to rescind the Biden-era public charge rule and substituting in its place a harder-line Trump public charge policy is deeply alarming and dangerous.

“This proposal threatens to upend decades of settled practice and will put millions of immigrants — and their U.S.-citizen family members — at risk. As advocates have [warned](#), it effectively opens the door to arbitrary denials, political bias, and a deliberate chilling effect on immigrant communities. The policy will have far-reaching harms, especially to low-income Black, brown, and immigrants with disabilities who rely on essential public benefits to which they are entitled.

“We will not stand by quietly. Legal Aid stands with immigrant New Yorkers and the broader communities we serve. We have fought before — and will continue to fight — against these kinds of discriminatory policies in court. During the first Trump Administration, The Legal Aid Society filed [Make the Road New York v. Cuccinelli](#) and [Make the Road New York v. Pompeo](#), challenging the prior Trump public charge rules alongside the Center for Constitutional Rights and others.

“At that time, a federal court issued a nationwide injunction blocking the rules from going into effect. That fight was about protecting immigrant families from a racially biased wealth test, and our commitment remains as strong now as ever.

“We are actively exploring all available channels of advocacy to challenge this proposed rule. Our goal is to ensure that immigrants can access the services they are eligible for, without fear that doing so will jeopardize their future.”

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The Legal Aid Society is a nonprofit organization that exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For nearly 150 years, we have

protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities.

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