



U.S. Department of
Homeland Security

DHS Secretary Statement on the 2019 Public Charge Rule

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Today, DHS Secretary Alejandro N. Mayorkas announced that the government will no longer defend the 2019 public charge rule as doing so is neither in the public interest nor an efficient use of limited government resources.

“The 2019 public charge rule was not in keeping with our nation’s values. It penalized those who access health benefits and other government services available to them,” said Secretary of Homeland Security Alejandro N. Mayorkas. “Consistent with the President’s vision, we will continue to implement reforms that improve our legal immigration system.”

President Biden’s Executive Order on Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans called for an immediate review of agency actions on public charge inadmissibility and deportability. DHS’s review, in consultation with the Departments of Justice and State and the federal benefits-granting agencies, is ongoing.

As discussed in DHS’s [litigation statement](http://www.dhs.gov/news/2021/03/09/dhs-statement-litigation-related-public-charge-ground-inadmissibility) (<http://www.dhs.gov/news/2021/03/09/dhs-statement-litigation-related-public-charge-ground-inadmissibility>), and consistent with the government’s decision not to defend the rule, the Department of Justice is no longer pursuing appellate review of judicial decisions invalidating or enjoining enforcement of the 2019 public charge rule. Today, the Department of Justice dismissed its pending appeals in the Supreme Court and Seventh Circuit, and is in the process of doing so in the Fourth Circuit. Following the Seventh Circuit dismissal this afternoon, the final judgment from the Northern District of Illinois, which vacated the 2019 public charge rule, went into effect. As a result, the 1999 interim field guidance on the public charge inadmissibility provision (i.e., the policy that was in place before the 2019 public charge rule) is now in effect.

Topics: [Citizenship and Immigration Services \(/topics/immigration-and-citizenship-services\)](/topics/immigration-and-citizenship-services), [Citizenship and Immigration Services Ombudsman \(/topics/citizenship-and-immigration-services-ombudsman\)](/topics/citizenship-and-immigration-services-ombudsman), [Homeland Security Enterprise \(/topics/homeland-security-enterprise\)](/topics/homeland-security-enterprise), [Secretary of Homeland Security \(/topics/secretary-homeland-security\)](/topics/secretary-homeland-security).

Keywords: [Immigration \(/keywords/immigration\)](/keywords/immigration).

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