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**Contact:**

Ambar Mentor-Truppa, Shriver Center on Poverty Law  
312.809.8048; [amentor@povertylaw.org](mailto:amentor@povertylaw.org)

**A Win for Immigrant Communities Nationwide:  
Illinois Advocates Commend Federal Court Ruling Striking Down Public Charge Rule**

**Chicago, IL** – The Protecting Immigrant Families - Illinois coalition applauds the decision made by the Northern District Court of Illinois to strike down the US Department of Homeland Security (DHS) regulations on public charge for violating the Administrative Procedure Act (APA), stating that the rule is overly broad and the DHS failed to consider “significant, predictable collateral consequences” and other issues when it issued the rule. The APA is a federal law that oversees how federal agencies develop and issue regulations.

**While we recognize that the fight is not yet over, we celebrate that now the public charge rule should not be implemented in the state of Illinois and the rest of the nation. We are also grateful that we will be allowed to continue to litigate our Equal Protection Clause claim against the federal government, and root out the discriminatory animus towards non-white immigrants inherent in this rule.**

[The DHS public charge rule](#) allows the government to deny visas and green cards to immigrants deemed likely to use certain public benefits. By creating confusion and discouraging immigrant families from seeking public benefits, this rule has disproportionately threatened the health of thousands of Illinois residents. The impact of the chilling effect caused by the public charge rule has been evident in Illinois and across the nation as immigrants refrain from or disenroll from using food assistance, health and housing programs despite the crucial assistance these programs provide for their family.

Cook County and the Illinois Coalition for Immigrant and Refugee Rights (ICIRR) filed a lawsuit challenging the legality of the public charge rule on September 23, 2019. Along with several other federal courts across the country that enjoined the rule, US District Judge Gary Feinerman granted an initial order blocking the rule from taking effect in Illinois on October 14, 2019, the day before the rule was to take effect. The US Supreme Court set aside this and other injunction orders, and the rule ultimately went into effect on February 24, 2020.

“The public charge rule has harmed immigrant and mixed-status families because the fear and confusion it created has led to decreased participation in public programs and placed a heavy burden on local governments and community-based organizations to replace them. The court rightly recognized the illegality of the public charge rule that has put thousands of immigrant and mixed-status families at risk.” said Militza M. Pagán, Staff Attorney at Shriver Center on Poverty Law.

“As the pandemic continues to impact all of our lives, it is especially vital that immigrants are not fearful of accessing healthcare. This decision striking down the public charge rule will help make healthcare more accessible to all in the United States. In today’s economy, no one should be afraid to seek health care, food, or housing assistance for fear of becoming a public charge.” said Carrie Chapman, Senior Director of Litigation and Advocacy at Legal Council for Health Justice.

“We applaud the court’s decision to vacate the public charge rule. This is a major victory for immigrants across Illinois and throughout the nation and underscores the importance of protections for all.” said Lawrence Benito, CEO of ICIRR. “Blocking this discriminatory regulation is a crucial step in the effective and necessary response to the COVID-19 pandemic across the nation, and in advancing justice for immigrants.”

ICIRR is represented by the Shriver Center on Poverty Law, Legal Council for Health Justice, National Housing Law Project, and Sidley Austin LLP. Cook County is represented by lawyers from the Cook County State’s Attorney’s Office Civil Actions Bureau and Goldberg Kohn.

ICIRR is a co-convenor of the Protecting Immigrant Families Illinois Coalition (PIF-IL), a statewide coalition of advocates, service providers, and community organizations working to defend access to basic essential needs programs for all. PIF-IL is asking organizations and individuals advocating on behalf of immigrant families to visit the [Protect Immigrant Families Illinois website](#) to learn more about the most recent developments regarding the latest ruling.

*Protecting Immigrant Families Illinois members: AIDS Foundation of Chicago, Asian Human Services, Catholic Charities, Diocese of Joliet, Elevate Energy, Erie Family Health Center, DuPage Federation, Greater Chicago Food Depository, Health & Medicine Policy Research Group, , Healthy Illinois Campaign, Housing Action Illinois, Illinois AAP, Illinois Coalition for Immigrant and Refugee Rights (ICIRR), Latino Policy Forum, Legal Aid Society of Metropolitan Family Services, Legal Council for Health Justice, National Immigrant Justice Center, Ounce of Prevention Fund, Shriver Center on Poverty Law, University YMCA*

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