

# WIC FACT SHEET ON WIC AND PUBLIC CHARGE

For 50 years, the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) has delivered quality nutrition services to improve health outcomes for pregnant and postpartum women, infants, and children up to age 5. WIC's effective nutrition intervention improves maternal and child health outcomes, setting the stage for lifelong health.

## ALL ARE WELCOME

Some federal programs limit eligibility for non-citizens. For example, many immigrants must wait at least five years before obtaining eligibility for SNAP benefits. WIC is one of the few programs that Congress elected not to limit eligibility on this basis. While individual states can choose to restrict WIC eligibility to only citizens and certain qualifying non-citizens, currently there are no states that do so.

**EVERY ELIGIBLE FAMILY CAN BE CERTIFIED FOR WIC REGARDLESS OF IMMIGRATION STATUS.**

In recent years, however, WIC clinics across the country have reported a heightened level of fear among immigrant and mixed-status families participating in WIC services, prompting eligible families to refuse to access vital nutrition and breastfeeding support. Due to this fear, some families have sought to withdraw from WIC services, returning food benefits and breast pumps to clinic sites.



WIC has five decades of documented public health success improving pregnancy, birth, and early child development outcomes. However, USDA continues to estimate that nearly half of all eligible individuals do not participate in WIC, although recent increases in participation have begun to shrink this gap. It is crucial that WIC continue to serve all eligible families, including immigrant and mixed-status families, building the foundation for a healthier next generation.

## WHAT IS PUBLIC CHARGE?

### *Public Charge Test*

A component of immigration law that allows federal authorities to deny legal status to individuals who are determined to primarily rely on government assistance. Public charge is only used for applications for visas or green cards. It is not used for applications for citizenship.

**WIC is not and has never been a factor in public charge determinations.** In 2019, the Trump Administration expanded to the public charge test to identify potential use of programs like Medicaid and SNAP among several other factors. This policy was overturned by the Biden Administration. Neither the Trump or Biden Administration's public charge policy included WIC.

In 2018, the Trump Administration proposed expansions to the public charge test. Historically, an individual could be found to be a public charge if they had accessed a limited range of federal benefits – specifically cash assistance (i.e., the Temporary Assistance for Needy Families, or TANF, program) and long-term institutional care under certain Medicaid plans.

While the public charge test is only one part of a holistic review, prior receipt of these benefits could impact an individual's application for a visa or green card. **WIC is not included in the public charge test.**

The Trump Administration's public charge rule, which was finalized in 2019 and has since been overturned by the Biden Administration,

significantly increased the scope of the public charge test to include many more federal programs. As a result, many eligible families ceased participating in programs like SNAP and Medicaid, for fear it could harm future immigration determinations. While WIC was explicitly excluded from the new public charge scheme, WIC Agencies across the country saw large declines in caseloads. Following early news of the proposed rule changes, participation decreased significantly at clinics in high-immigrant communities, with local agencies in at least 18 states reporting a caseload decline of 20% or more. Despite WIC's exclusion from the public charge test, the program saw a significant and lasting chilling effect, with many immigrant and mixed-status families forgoing access to WIC's vital nutrition benefits.

In 2021, the public charge test was returned to its historic standard.

**Currently, participation in the following programs will not impact public charge determinations:**



SECTION 8 AND PUBLIC HOUSING



WIC, SNAP, SCHOOL AND SUMMER MEALS



THE CHILDREN'S HEALTH INSURANCE PROGRAM (CHIP) AND MEDICAID

(Except for long-term care)



THE CHILD TAX CREDIT (CTC) AND EARNED INCOME TAX CREDIT (EITC).

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