

# What is a “public charge?”

A person who uses some kinds of benefits from the government might be considered a “public charge” by the government. This can affect your immigration status. Just using government programs does not make you a public charge.

## Which programs might put someone at risk of being considered a “public charge”?

The **ONLY** government programs right now are:

- Cash assistance (like TANF or SSI)
- If the government is paying for institutionalized longterm health care (like a nursing home)

Even being enrolled in these programs does **NOT** mean you will automatically be considered a public charge. But these are some of the things the government looks at.

**MOST** government benefits are not included. If your children are US citizens, you can apply for them to use these programs without putting yourself at risk.

## When does the government decide if someone is a “public charge”?

It happens when you are applying for a green card. When you apply for citizenship the government does NOT check if you are a “public charge.”

**Immigrants with certain statuses can apply for a green card without being considered a “public charge” no matter what. These include:**

- Refugees and asylees
- Victims of serious crimes (like U and T visa holders)
- VAWA self-petitioners (for people who are victims of violence committed by family members)
- Special immigrant juveniles (SIJS)
- Some other immigrants



The government recently attempted to change the rules used to decide if someone is a “public charge.” Lawsuits have stopped the changes, and for now, **NOTHING HAS CHANGED**. Public charge doesn’t apply to many people, and most government programs aren’t included in the rules.

## What should I do?

You don’t need to cancel your benefits if you’re not at risk of being considered a “public charge.” Even if you are, it is important to think about what programs you and your family need as well as immigration concerns. If you have questions about “public charge” related to an existing or future immigration application, you should talk to an immigration lawyer. **Call the New Americans Hotline at 1-800-566-7636** for suggestions about where to get legal advice. The hotline is free and anonymous, and help is available in many languages.