

# PUBLIC CHARGE

is a term used to describe someone who will be primarily dependent on the government.

This law only affects those applying for a greencard or seeking entry in the U.S.

There are no changes for immigrants applying for a greencard in the U.S. There are some differences for immigrants processing at consulates.

## Who is NOT subject to the public charge law?

- Refugees and asylees
  - Special immigrant juveniles (many unaccompanied minors)
  - Trafficking victims (T visa)
  - Crime victims (U visa)
  - Domestic violence survivors (VAWA)
  - TPS holders
  - Undocumented people
- } who are not applying for a green card in the next 2 years
- People with Cuban Adjustment Act (CAA), Nicaraguan & Central American Relief Act (NACARA) or Haitian Refugee Immigration Fairness Act (HRIFA)
  - Lawful permanent residents
  - Naturalization applicants

## Benefits that count for public charge now:

- Cash assistance for income maintenance (SSI, TANF/CalWORKs, General Assistance)
- Long-term institutionalization at gov't expense (Medicaid nursing home, mental health institution)

## Every immigrant family should:

- Get an immigration legal screening
- Learn and practice exercising their constitutional rights
- Put together a family preparedness plan

## Where to find free or low-cost immigration help:

<https://www.immigrationadvocates.org/nonprofit/legaldirectory/>

## Currently, these public benefits do not count for public charge:

- Non-cash benefits (subsidized child care, transit subsidies)
- Health services (Medicaid/Medi-Cal, immunizations, testing and treatment of communicable diseases, use of health clinics, short-term rehabilitation services, prenatal care and emergency medical services, subsidized ACA insurance, CHIP/Healthy Families)
- Nutrition programs (food stamps, WIC, school meals, emergency food programs)
- Housing benefits
- Childcare services
- Energy assistance (LIHEAP)
- Emergency disaster relief
- Foster care and adoption assistance
- Education assistance (public school, Head Start, need-based grants)
- Job training programs
- Title II Social Security, government pensions, veterans' benefits
- Unemployment
- Community programs (soup kitchens, crisis counseling and intervention, short-term shelter)