

Some people who apply for a green card or a visa to enter the U.S. must pass a “public charge” test. In those cases, immigration officials look at whether the person will mostly depend on the government for support in the future. Three important things immigrant families need to know about public charge are:

1

MOST PEOPLE DO NOT HAVE TO WORRY ABOUT PUBLIC CHARGE AT ALL

Public charge does not apply to everyone. People seeking a green card through a family member or who seek to enter the US from outside the country may be subject to this test. Many immigrants are exempt from public charge – see the website at the bottom of this page or use this QR code.



MOST GOVERNMENT PROGRAMS DO NOT COUNT

2

Only 2 kinds are considered:

1. Monthly cash support. This includes Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF), and state and locally-based cash assistance programs
2. Long-term “institutional” health care, like in a nursing home, paid for by the government

Immigration officials cannot look at a person’s use of other government programs. Immigration officials cannot look at any government programs used by others in your family or home, even if your name is on your family member’s application, **unless those programs are the family’s only income.**

3

PUBLIC CHARGE IS NOT JUST ABOUT GOVERNMENT SERVICES

Immigration officials must look at a person as a whole, not just whether the person used government programs. That includes whether a family member or another person with enough income or resources has promised to support you. That “affidavit of support” and other positive factors can help even if you have used government programs in the past. In most cases, using government programs will not affect immigration applications.

Visit [KeepYourBenefits.org](https://www.KeepYourBenefits.org) to get information specific to your immigration status. If you have public charge or other immigration status concerns, we strongly recommend that you seek trusted legal advice. This site can refer you to a low-cost immigration attorney near you.

Federal regulations include a list of immigrants exempt from public charge. The complete list can be found at: <https://www.federalregister.gov/documents/2019/08/14/2019-17142/inadmissibility-on-public-charge-grounds#p-2859>