PUBLIC CHARGE RULE:
WHAT YOU NEED TO KNOW

What is public charge?
When some people apply for their legal permanent residency, also known as their "green card", or apply for a visa to enter the United States they have to pass a "public charge" test. This test is meant to evaluate if the person is likely to use certain listed public benefits in the future. Immigration officials look at the person's:

- Age
- Income
- Health & health insurance
- Education and work skills
- English level
- Previous use of listed public benefits

What are the certain listed public benefits?
- Federal, State, and local cash assistance programs (ex: TANF, SSI, General Assistance)
- Supplemental Nutrition Assistance Program (SNAP, EBT, "Food Stamps")
- Medicaid (EXCEPT: emergency Medicaid, children under 21 years, pregnant women including 60 days postpartum)
- Federal public housing and Section 8 housing assistance

What public benefits are NOT included?
Many public benefit programs are not included in the new public charge rule. This is not an expansive list, but some examples are:

- All Kids
- Children's Health Insurance Program (CHIP)
- Moms and Babies
- VTTC programs
- Childcare Assistance
- Emergency Medicaid
- WIC
- School breakfast and lunch programs
- Head Start
- School grants and loans

Any public benefits used by your children or family members will NOT count against you!

Who does it NOT apply to?
- Refugees and Asylees
- VAWA Self-petitioners
- Special Immigrant Juveniles
- U and T visa applicants/holders
- Many other Parolees and Humanitarian Visas
- Lawful Permanent Residents applying for citizenship
- U.S Citizens

When did it go into effect?
The new public charge rule started on February 24, 2020. Only green card and visa applications and petitions submitted on or after this date will be affected. Use of the newly listed benefits (SNAP, Certain Medicaid, Federal Housing, State and local cash assistance) only after this date will be counted.

What resources are available?
If you believe you are affected by the new public charge rule:
- Speak to an accredited legal representative or immigration lawyer:
  https://www.immigrationadvocates.org/legaldirectory/
- Visit www.protectingimmigrantfamiliesillinois.org for more information.