



PUBLIC CHARGE CHEAT-SHEET

Who **IS** affected by the public charge rules?

Noncitizens applying for:

- permanent residence (a green card);
- through a family member (*i.e.*, being sponsored by a U.S. citizen or permanent resident spouse, adult child, or parent)

Sponsors must provide proof of household income and their family members can be denied if their income falls below a certain threshold—regardless of whether they receive benefits.



Who is **NOT** affected by the public charge rules?

People granted (or applying for) other forms of relief, including (but not limited to):

- Naturalization / citizenship
- Asylum or refugee status, withholding of removal, or CAT
- Temporary Protected Status (TPS)
- U visas (for crime victims) or T visas (for trafficking victims)
- Violence Against Women Act (VAWA)
- Parole (including Uniting for Ukraine & Venezuelan parole)
- Cuban Adjustment Act
- Special Immigrant Juvenile Status (SIJS)
- Special Immigrant Visas (SIV) for Iraqis and Afghans
- DACA or medical/military deferred action
- Cancellation of removal
- Anyone applying for a green card based on any of the above statuses

If the public charge rules apply to a case...

The government **will** consider...

Being primarily dependent on the government for subsistence, as demonstrated by:

- receipt *by the noncitizen* of public cash assistance for income maintenance—e.g., SSI, TANF, “General Assistance” cash assistance; **or**
- or institutionalization for long-term care at government expense—e.g., in a public facility paid for by regular or emergency Medicaid.

The government **will NOT** consider...

Receipt of:

- Non-cash or supplemental benefits: food stamps, housing vouchers, WIC, food pantries, emergency shelter, disaster relief, stimulus checks, pandemic relief, etc.
- Earned benefits: workers compensation, unemployment, VA benefits, Social Security retirement or disability (SSDI)
- Medical benefits (other than long-term institutionalization): emergency care, subsidized insurance, short-term rehab or institutionalization/hospitalization, vaccines, Covid-19 testing, etc.
- Benefits awarded to family members (e.g., SSI awarded to U.S. citizen children)

This is general legal information, not legal advice. Any individual concerned about their particular case should discuss their situation with an attorney.