

# 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 long-term health care (like a nursing home)

When the new rules go into effect on **Oct. 15, 2019**, the added programs will be:

- SNAP (food stamps)
- Non-emergency Medicaid (but **NOT** healthcare services, the Essential Plan, Emergency Medicaid, or Medicaid for pregnant women and children)
- Section 8 and public housing

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.

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 changed the rules they use to decide if someone is a “public charge.” The new rules start on **October 15, 2019**. But public charge still doesn’t apply to many people, and most government programs aren’t included in the rules.

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

It only happens when you are applying for a green card or some kinds of visas. When you apply for citizenship the government does **NOT** check if you are a “public charge.”

## 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.

# 什麼是“公共負擔”

需要政府提供某些公共福利的移民可能被政府視為“公共負擔”。這可能會影響您的移民身份。您不會因為使用了政府福利而自動被視為公共負擔。

## 哪些公共福利可能會使某人面臨被視為“公共負擔”的風險？

目前只些政府計劃是處於險中的：

- 現金補助 (例如 TANF 或 SSI)
- 依賴政府Medicaid資助的長期照護 (例如療養院費用)

當新規則於2019年10月15日生效時，添加的政府計劃將是：

- SNAP (糧食券)
- 非緊急Medicaid醫療補助 (不是醫療保健服務，基本計劃或緊急醫療補助，或孕婦和兒童的Medicaid醫療補助)
- 第8類房屋補助及公共房屋

即使參加這些政府計劃，您不必然被視為“公共負擔”，但他們是一些政府看的事情。

大部分的重要政府福利不包括在此。如果您孩子是美國公民，您可以申請他們使用這些計劃而不會讓自己冒風險。

某些身分(包括相關綠卡申請)不在公共負擔的適用範圍內。這些包括：

- 難民和持庇護身分者
- 人口販賣受害人 (U和T簽證)
- 家暴或其他重大犯罪受害人 (U 簽證)
- VAWA 自呈申請人(對於遭受家庭成員暴力侵害的人)
- 特殊少年移民 (SIJS)
- 及某些其他移民身分

政府最近改了“公共負擔”的法規及定義。新的法規將會在2019年10月15日生效。但“公共負擔”仍然不影響多數人，而這規變不包括大部份政府計劃。

## 政府何時決定某人是否是“公共負擔”？

這種情況發生在您申請綠卡或某種簽證時。當您申請公民身份時，政府不會檢查您是否是“公共負擔”。

## 我該怎麼辦？

若您不被視為“公共負擔”，您不需要停止您的公共福利。

即使您是，您必需要慎重地考慮您和您家人的需要以及移民情況。

如果您有對公共負擔，現在或未來的移民申請案件的疑問，請諮詢移民律師。請洽 New Americans 熱線 1-800-566-7636 索取法律諮詢的相關訊息。該熱線是免費和匿名的，並有多種語言協助。