

# What is a “public charge?”

An immigrant who uses certain 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 that can be considered before Feb. 24 are:

- Cash assistance (like TANF or SSI)
- If the government is paying for institutionalized longterm health care (like a nursing home)

New rules went into effect on Feb. 24, 2020, and the government can now ask about these programs (but only if they are used after Feb. 24, 2020):

- SNAP (food stamps)
- Federal Medicaid (NOT New York State Medicaid, the Essential Plan, Emergency Medicaid, H+H Options, Child Health Plus, or Medicaid for pregnant women and children)
- Section 8 and public housing

Being enrolled in these programs does **NOT** necessarily mean you will be considered a public charge, but they are some of the things the government looks at.

**MOST** government benefits are not included on this list. 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 went into effect on Feb. 24, 2020. 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 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.



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# Ki sa yon "chaj pou leta" ye?

Yon moun ki itilize sèten kalite èd nan leta ka vinn yon "chaj pou leta". Sa ka afekte estati imigrasyon ou. Lè ou sèlman itilize pwogram leta yo sa pa kapab fè ou vini yon chaj pou leta.

## Ki pwogram ki ta ka fè yo di ke w se yon "chaj pou leta"?

Pou kounye a, sèl pwogram gouvènman an te konsidere anvan 24 Fevriye se:

- Lè w jwenn lajan kash nan men leta (tankou TANF oswa SSI)
- Lè w rete nan yon enstitisyon (tankou yon mezon retrèt) kote se gouvènman kap peye nèt pou swen sante w.
- SNAP (koupon manje)
- Medicaid Federal Medicaid (PA Medicaid nan Eta New York, Medicaid Ijans Plan Essential, Medicaid Ijans, H+H Opsyon, Child Health Plus, oswa Medicaid pou fanm ansent ak timoun)
- Lojman Piblik ak Seksyon 8

Menm si ou enskri nan pwogram sa yo, sa PA vle di ou pral otomatikman pase kòm yon chaj pou leta. Men, sa yo se kèk nan bagay gouvènman an pral tcheke.

PIFÒ benefis gouvènman an pa enkli ladan'l. Si pitit ou se sitwayen ameriken, ou ka aplike pou yo itilize pwogram sa yo san ou pa mete tèt ou an danje.

Immigran yo ki gen sèten estati ka aplike pou yon kat rezidans pèmanan oswa viza SAN yo pa konsidere yon "chaj pou leta" kèlkeswa fason an. Men lis yo:

- Refijye ak moun ki gen azil politik
- Viktim krim grav (tankou moun ki gen viza T osnon U)
- Fanm ki aplike pou tèt yo anba VAWA (paske pròp manm fanmi yo bat yo osnon toupizi yo)
- Timoun ki genyen viza espesyal (SIJS)
- Gen kèk lòt imigran ankò

Dènyèman gouvènman an te eseye chanje règleman li itilize pou deside si yon moun se yon "chaj pou leta." Nouvo règleman yo antrer anvigè apati dat 24 Fevriye 2020. Men chaj piblik toujou pap aplike pou anpil moun. Epi règleman yo pa afekte anpil pwogram èd gouvènman an bay.

## Kilè gouvènman an deside si yon moun se yon "chaj piblik"?

Sa rive sèlman lè w ap aplike pou yon kat vèt oswa kèk viza espesyal. Lè wap aplike pou sitwayènnte gouvènman an PA tcheke si ou se yon "chaj piblik."

## Ki sa mwen ta dwe fè?

Ou pa bezwen anile benefis ou si pa gen danje ke yo konsidere w kòm yon "chaj pou leta." Menm si gen danje, li enpòtan pou balanse pwogram ou menm ak fanmi w bezwenan menm tan ke kesyon sou imigrasyon. Si ou gen kesyon sou "chaj pou leta" ki gen rapò ak yon aplikasyon imigrasyon ki deja egziste oswa ke w ta vle fè, ou ta dwe pale ak yon avoka imigrasyon. Rele nimewo ki la pou sa : "New American Hotline" nan 1-800-566-7636 pou sijesyon sou ki kote ou ka resewa konsèy legal. Liy dirèk la gratis epi anonim, epi èd la disponib nan plizyè lang.