

PUBLIC CHARGE

WHAT YOU NEED TO KNOW

Many immigrants **are not** affected by this law!

Government assistance received by your kids or spouse **does not** affect you.

Some types of assistance are still okay for anyone to receive.

If you are considering applying for permanent residency through a family member soon, talk to a lawyer or nonprofit **as soon as possible**.

What is "Public Charge"?

Public charge is a term meaning that an immigrant is likely to depend on the government to support them financially, rather than working or relying on family members.

What does the public charge rule do?

Some people applying for permanent residency or to extend their visa will be required to prove they or their family can support them financially, rather than working or relying on family members.

Who is affected by the new rule?

People applying for permanent residency (a "green card") through a family member who is a U.S. citizen or permanent resident, and some people applying for employment-based applications or to extend their visa.

If you think the rule might apply to you, you should consult an immigration attorney or nonprofit agency as soon as possible. If you are eligible, you may be able to send your application before the rule takes effect on October 15, 2019, so that the rule will not apply to you.

When does the rule take effect?

October 15, 2019, but it could be stopped or delayed by the courts before then. The new rule does not apply to any immigration applications filed *before* then.

This information should not be considered legal advice



Who is NOT AFFECTED by the new rule?

People who are already permanent residents (unless they leave the U.S. for more than 6 months).

People who already have, or are currently applying for, or plan to apply for **U Visas** (crime victims); **T Visas** (human trafficking victims); **Asylum**; **Refugees**; **VAWA** (Violence Against Women Act); **Special Immigrant Juvenile Status**; **DACA** (Dreamers); **TPS** (Temporary Protected Status); **applicants for permanent residency based on one of the above status types.**

Government assistance received by family members DOES NOT COUNT against the immigrant who is applying for residency.

For example, assistance received by or for children or a spouse who are U.S. citizens or permanent residents DOES NOT COUNT against an applicant for permanent residency.

Many types of assistance ARE NOT counted, even if an applicant receives them.

Examples: any type of assistance received before October 15, 2019; Medicare/OHP for youth under age 21, people who are pregnant or gave birth fewer than 60 days ago, and emergency Medicaid (CAWEM); WIC; school-based services (lunch, health), etc.

Most people who are affected by the public charge rule change already do not qualify for the types of programs that would affect them, such as SNAP (food stamps) and TANF (cash assistance).

What can I do if I'm worried about the public charge rule?

DO NOT cancel your family's assistance such as food stamps or OHP/Medicaid before you know if it's really necessary.

Call the Legal Aid/Oregon Law Center Public Benefits Hotline at 800-520-5292 for more information.

Contact a nonprofit immigration agency such as Catholic Charities or a private immigration attorney to find out your immigration options or to ask if you're affected by the public charge rule change.