

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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什麼是“公共負擔”

使用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。

那些公共福利可能會使某人面臨被視為“公共負擔”的風險？

2月24日之前可以檢查的政府計劃只是：

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

新規則於2020年2月24日生效，政府現在可以詢問關於這些計劃 (但前提是這些計劃必須在2020年2月24日之後使用)：

- SNAP (食品券)
- 聯邦醫療補助 (非紐約州醫療補助，基本計劃，緊急醫療補助，H + H選項，兒童健康附加計劃或孕婦和兒童醫療補助)
- Section 8 和公共住房

即使參加這些政府計劃，您不必然被視為“公共負擔”，但這是政府一般查看的事情。

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。

某些身份(包括相關綠卡申請)不在公共負擔的適用範圍內。這些包括：

- 難民和持庇護身份者
- 人口販賣受害人 (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)
- 及某些其他移民身份

政府最近更改了他們用來確定某人是否為“公共負擔”的規則。新規定於2020年2月24日生效。不過公共負擔仍然不適用於很多人，而規則不包括大多數政府計劃。

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。