MAKE THE RIGHT CHOICE FOR YOU AND YOUR FAMILY

Public charge does not apply to all immigrants. Every family is different, and the programs that help your family might not be part of new changes to the policy. We know that you are worried – but the more we know about our rights, the harder it is for the administration to intimidate us. An immigration attorney familiar with this issue can give you advice based on your specific situation. There are organizations in Maine that can help. For more information about public charge, contact the Immigrant Legal Advocacy Project at www.ilapmaine.org or 207-699-4416. For more information about public assistance programs, contact Maine Equal Justice at mejp.org or 866-626-7059.

WHAT IS PUBLIC CHARGE?

Some people who apply for a green card (lawful permanent residence) or a visa to enter the U.S. must pass a “public charge” test – which looks at whether the person is likely to use certain government services in the future. In making this determination, immigration officials review all of a person’s circumstances, including their age, income, health, education or skills (including English language skills), and their sponsor’s affidavit of support or contract. They can also consider whether a person has used certain public programs.

DHS’ new public charge test considers:

- Supplemental Nutrition Assistance Program (SNAP, “EBT” or “Food Stamps”)
- Federal Public Housing and Section 8 assistance
- Medicaid (except for emergency services, children under 21 years, pregnant women, and new mothers)
- Cash assistance programs (like SSI, TANF, General Assistance)

Most people who are subject to the new rule are not eligible for the above listed benefits. Services that are not listed above will not be counted in the public charge test. This includes WIC, CHIP, school lunches, food banks, shelters, state or local health care programs, and many more.

The information provided above is from the Protecting Immigrant Families Campaign and is not legal advice. For information about a specific case, please contact an immigration attorney.
Are you and your family members U.S. Citizens?
Public charge does NOT apply to you. You should continue to enroll in programs you are eligible for.

Do you and your family members already have green cards?
Public charge and any changes under new rules WILL NOT affect you when you renew your green card or apply to become a U.S. Citizen. However, if you plan to leave the country for more than 6 months, it is a good idea to talk with an immigration attorney.

Are you applying for or have one of the following statuses?
Temporary Protected Status, U or T Visa, VAWA, Asylum or Refugee status, or Special Immigrant Juvenile Status? The public charge test does NOT apply to all immigrants, including the categories listed here. If you already have or are in the process of applying for one of these immigration statuses, you can continue to use any government programs that you qualify for.

Do you plan on applying for a family-based green card or a visa?
Only the use of the public programs listed on first page will be considered in the public charge test. Your income, age, health, education, skills, family situation, and sponsor’s affidavit of support will also be considered. You should talk with an immigration lawyer for advice on your case before making any decisions.

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