



NYC Mayor's Office of Immigrant Affairs


# INFORMATION ON “PUBLIC CHARGE” & HOW TO MAKE YOUR VOICE HEARD

UPDATED NOVEMBER 22, 2018


## What is “public charge” and what is the Trump Administration proposing?

The Trump Administration has proposed broadening the definition of “public charge” in order to make it harder for some immigrants to receive a green card and some visas if they use certain government benefits or may be likely to in the future. **This is only a proposal, nothing has changed**, and it may be months before any changes go into effect.

Even if this proposed policy does go into effect, **it will not be retroactive**. This means use of any public benefits before the policy goes into effect cannot and will not be held against you, with the sole exceptions of cash assistance or long-term institutionalized care at government expense. **The proposal does not change your eligibility for public benefits.**



**Consult a free, trusted legal advisor** if you have questions about how this proposal may affect you. Call the New Americans Hotline, operated by Catholic Charities, at **1-800-566-7636**. To make an appointment with a free, trusted immigration legal services provider, call ActionNYC at **1-800-354-0365**.



**Make your voice heard** by submitting a comment about the Trump Administration's proposed “public charge” policy until **December 10, 2018**. All New Yorkers, regardless of immigration status, can submit their comment on [www.nyc.gov/publiccharge](http://www.nyc.gov/publiccharge). Continue to check this website for important updates and ways to get involved.

# FREQUENTLY ASKED QUESTIONS

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## How is the Trump Administration proposing to change “public charge”?

- The proposed rule change could make it harder for applicants for green cards and some visas if they receive certain specific government benefits, including Medicaid (with some exceptions, such as emergency Medicaid); Supplemental Nutrition Assistance Program (SNAP); Low Income Subsidy for prescription drugs under Medicare Part D; Section 8; and public housing.
- The Trump Administration is also proposing to look more closely at an applicant's age, education, employment history, income, savings, property, health conditions, and other factors.



## Does the proposed “public charge” policy apply to all immigrants?

- No. “Public charge” only applies to some immigration applications, such as for a green card or certain visas.
- There is no “public charge” test for citizenship applicants or green card renewals.
- There is also no “public charge” test for refugees, asylees, applicants for U or T visas, VAWA self-petitioners, Special Immigrant Juveniles, those with Temporary Protected Status, and other statuses not listed here. This will not change under the Trump Administration's proposal.



## I am not eligible for public benefits but have children or family members in my household who use public benefits. Could that hurt my immigration application?

- No. Under the proposed “public charge” policy, public benefits or programs used by an immigrant's children or other family or household members would not be used against the immigrant in his or her immigration application.



## I use some public benefits. Should I withdraw, disenroll, or close my case?

- You should consult with a free, trusted legal advisor before making any changes to or withdrawing from benefits because of this proposal. Call 1-800-566-7636 for more information or 1-800-354-0365 to make an appointment.
- This proposal would not change eligibility requirements for public benefits programs.
- No matter what happens with the proposed policy, NYC Health + Hospitals, the City's public hospital system, will provide care no matter what your income is, whether you have health insurance or not, regardless of your immigration status.



## I am sponsoring a family member abroad. Will my usage of public benefits affect their ability to obtain a green card or visa?

- If you are sponsoring a family member abroad, you should consult with a free, trusted legal advisor to determine if there are any changes to the “public charge” test that may affect the application by calling the number above.