

PUBLIC CHARGE RULE

What is the Public Charge Rule?

The final rule defines public charge. **According to the law, any individual who is applying for a visa or for admission to the United States is inadmissible if he or she is likely at any time to become a public charge.** This includes applicants for admission to the United States, individuals seeking a green card to become lawful permanent residents, and individuals within the United States who hold a nonimmigrant visa and seek to extend their stay in the same nonimmigrant classification or change their status to a different nonimmigrant classification.

The final rule defines a “public charge” based on the receipt of financial support from the general public through government funding (i.e. public benefits), including federal rental assistance. The individual would need to receive one or more designated public benefits, including but not limited to federal rental assistance and Public Housing, for more than 12 months in the aggregate within any 36-month period to meet the threshold.

The Department of Homeland Security (DHS) issued the final Public Charge Rule on August 14, 2019

What is Considered a Public Benefit?

SSI	TANF	SNAP
Public Housing	HCV	PBRA
Medicaid	Institutional Care	Cash Income Maintenance



The public charge final rule applies to immigration applications submitted on or after February 24, 2020.

Does the Rule affect my immigration/citizenship application?

Public housing authorities cannot provide advice as to whether applications for, or current receipt of, housing assistance will impact an individual's current or future immigration status. Any such questions should be addressed to an attorney or immigration advocacy group.
