



PROPOSED CHANGES TO PUBLIC CHARGE WHAT YOU NEED TO KNOW

DO NOT give up important benefits that your family needs,
like food assistance and health care.

What's happening with "Public Charge"?

Rumors about proposed rule changes on the use of public benefits and immigration applications have many immigrants and their families worried about using programs like WIC, SNAP (food stamps), Medicaid, and energy assistance.

Public charge does not apply to many benefits and many categories of immigrants. Do not give up important benefits that your family needs, like food assistance and health care, based on rumors and fear. Be informed so you can make the right choice for you and your family.



Quick Facts

1. **Public Charge does not apply to everybody.** Learn how the rule applies to you by contacting an immigration attorney.
2. **The changes have not taken effect and you can fight back.** The new rules are still just a proposal. If the rules do change, you will have time to act before the new rules go into effect. There is a public comment period until **December 10th**. For the latest news and to join us in opposing the changes, call **505-255-2840** or sign up at <http://bit.ly/OpposeChanges>.
3. **Do not give up services your family needs due to rumors or fear.** Get advice so you can make the right choice for you and your family.



What are the changes proposed to "Public Charge"?

The federal government is proposing a change to the definition of public charge that would have immigration consequences for some families who access **SNAP, non-emergency Medicaid, Section 8 Housing and Rental Assistance, Medicare Part D Low Income Subsidy Program, and other cash and institutional care programs.**



What is “Public Charge”?

1. “Public charge” is the term used by immigration officials to refer to people who primarily rely on government cash assistance, like TANF, to support themselves. Being a “public charge” can impact a person’s eligibility for a green card or a visa.
2. The federal government takes into consideration a range of factors (like age, health, and financial status) when determining who is a public charge. The current list of benefits that may result in a public charge determination are:
 - Supplemental Security Income (SSI) • Temporary Assistance for Needy Families (TANF) • Long-term care in an institution paid for by the government
3. Most public benefits (like health care, food assistance, WIC, housing assistance, and many more) DO NOT count today towards public charge.
4. The public charge rule does NOT apply to many types of immigrants. Immigrants NOT subject to public charge rules:
 - Refugees and asylees • Green Card holders applying for U.S. citizenship • Certain people paroled into the US • Violence Against Women Act (VAWA) self petitioners • Cuban, Nicaraguan, or Haitian entrants • T or U visa holders (Survivors of trafficking, domestic violence, or other crimes) • Amerasian immigrants • Special immigrant juveniles • Registry applicants (in U.S. before 1972) • Individuals applying to renew DACA status
5. **Your dependents who are U.S. citizens and are receiving benefits still do not count against you for Public Charge determination.**

What you can do

Stay informed and speak up about proposed changes. Follow nmpovertylaw.org and protectingimmigrantfamilies.org for the latest news and to make your voice heard.



Resources

Immigration attorneys, legal service providers, and community partners are available to answer your questions and help you make the best decision for your family. Contact an immigration attorney with questions about immigration options and public benefits.

Find legal help at:

New Mexico Immigrant Law Center: **505-247-1023**