

UNDERSTANDING PUBLIC CHARGE



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Screening Tool Questions

Do you have a status listed below?

- Refugee or Asylum Seeker
- Special immigrant juvenile (SIJ)
- U visa or T visa holder or applicant (victims of crimes and trafficking survivors)
- Violence Against Women Act (VAWA) self-petitioner
- Person eligible to adjust under the Relief under Cuban Adjustment Act (CAA), the Nicaraguan and Central American Relief Act (NACARA), or the Haitian Refugee Immigration Fairness Act (HRIFA)
- Special immigrant visa holder (i.e. Afghan and Iraqi employees of U.S. armed forces)

YES

You are exempt from the Public Charge test.

NO

Next question.

I or someone in my family will have to use a U.S. consulate outside the U.S. (consular processing) to:

- Apply for a green card
- Sponsor or co-sponsor an immigrant to get their green card
- Apply for entry to the U.S.

YES

Speak with an immigration attorney.

NO

Next question.

I don't have a green card but I or someone in my household gets one or more of the following benefits:

- Supplemental Nutrition Assistance Program (SNAP)
- Long-term institutionalized care, which pays for assisted living or a nursing home
- TANF cash benefits or SSI
- Someone in my household gets TANF and SSI cash benefits, and it's the only income for the household
- Federal public housing (Section 8 Housing Choice Voucher Program or Section 8 Project-Based Rental Assistance Program)
- Medicaid (UNLESS it is related to children under 21, pregnant women, new mothers for 60 days, and emergency services)

YES

Speak with an immigration attorney.

NO

Next question.



I am a parent applying for benefits on behalf of my children who are citizens.

YES

You are exempt from the Public Charge test.

NO

Next question.

I have a green card and plan to travel outside the U.S. consecutively for more than 6 months.

YES

Speak with an immigration attorney.

NO

Next question.

My situation is not listed above or I'm unsure of my situation.

YES

Speak with an immigration attorney.

NO

End.

Public charge is a test used by immigration officials to determine who can become legal permanent resident. Historically, an applicant for residency is deemed a public charge if they are likely to depend on cash assistance or institutional long-term care to support themselves.