

# IMMIGRATION POLICY CHANGES

AUGUST 2019

LEARN & TAKE ACTION!



## WHAT IS A "PUBLIC CHARGE?"

When an immigrant applies for a visa or legal permanent residence (green card), the U.S. government looks at many aspects of their life, including whether they will become a "public charge."

A "public charge" is someone who the U.S. government believes will be dependent on public assistance. This has been part of U.S. immigration law for over 100 years.

## WHAT IS CHANGING?

On August 14, 2019, the Trump administration finalized **dramatic changes** to this policy that will cause more immigrants to be considered "public charges." The new changes will prevent or make it harder for some immigrants to gain legal status.

These changes are **not in effect yet**. They are expected to take effect on **October 15, 2019**, unless they are delayed by legal challenges in the court.

### PREVIOUS POLICY

Public services that could cause an immigrant to be considered a "public charge" are limited to:

- Cash assistance (such as TANF cash benefits or SSI)
- Long-term care (such as being hospitalized through public insurance)

Personal factors such as age, health, income, and others are reviewed when deciding if an immigrant is likely to become a "public charge."

### POLICY CHANGES

Public services that could cause an immigrant to be considered a "public charge" are **expanded** to include:

- Medicaid (except for emergency services, and coverage of children under 21 years old, pregnant women, and new mothers)
- SNAP, Food Stamps, or "EBT"
- Housing assistance (such as Section 8 housing vouchers or other federal public housing programs)
- Cash assistance (such as TANF cash benefits or SSI)
- Long-term care (such as being hospitalized through public insurance)

Personal factors such as age, health, income, skills (including English language skills), and others are **reviewed with stricter standards** when deciding if an immigrant is likely to become a "public charge." For example, immigrants under age 18 and over 61, those with lower incomes or poor credit scores, or many other factors could be considered "public charges."



# WHAT SHOULD IMMIGRANT FAMILIES DO?

LEARN WHETHER THIS  
REGULATION APPLIES  
TO YOU.

## APPLIES TO:

- Immigrants living in the U.S. applying for legal permanent residence (green card).
- Immigrants seeking to legally enter the U.S.
- Immigrants living in the U.S. applying to extend or change the category of a non-immigrant visa (such as a student or work visa, etc.) would face a similar test.

## DOES NOT APPLY TO:

- Legal permanent residents (green card holders) applying for U.S. citizenship. However, it may apply to green card holders returning after being out of the U.S. for 6 months or more.
- Many immigrants with legal status including: refugees, asylees, survivors of domestic violence, trafficking, or other crimes (U or T Visa applicants/holders), DACA or TPS recipients, Special Immigrant Juveniles, and several other categories of non-citizens.

ALWAYS TALK TO A  
LEGAL EXPERT.

Every family is different, and the programs that help your family might not be part of these new changes. We recommend that you **seek advice from an immigration lawyer who understands these new policy changes, and can give you advice based on your specific situation.** To find organizations near you that offer free or low-cost legal services, please visit: [www.immigrationadvocates.org/nonprofit/legaldirectory/](http://www.immigrationadvocates.org/nonprofit/legaldirectory/)

## HOW CAN WE TAKE ACTION?

These policy changes are **not in effect yet**. We still have a chance to stop this harmful rule from going into effect on October 15, 2019! UPLAN, along with our partners at the [Protecting Immigrant Families \(PIF\) Campaign](#) and advocates across the country, are taking action through legal challenges, calling on Congress, speaking out, and sharing our stories. **Join us and take action today!**

### STATE & LOCAL ADVOCACY

Ask your public officials to educate themselves and the communities they serve. Ask them to protect privacy and safety for public services. For more info, contact UPLAN.

### FEDERAL ADVOCACY

Ask your Senators and Representatives to speak out against this harmful policy change, and ask how they will take action. Ask them to organize their networks to provide services to your community. Contact your House Representative and ask them to **Co-Sponsor the No Federal Funds for Public Charge Act** (H.R. 3222). Click the link below to contact your Representatives!

<http://bit.ly/DefundPublicCharge>

### SHARE YOUR STORY

If you are willing to share your story anonymously or publicly about the negative effects of this harmful policy, contact UPLAN!

UNITED PARENT LEADERS ACTION NETWORK (UPLAN)

[www.unitedparentleaders.org](http://www.unitedparentleaders.org) | call: (312) 226-5141 | email: [uplan@unitedparentleaders.org](mailto:uplan@unitedparentleaders.org)  
For more resources on "public charge," visit: [www.protectingimmigrantfamilies.org](http://www.protectingimmigrantfamilies.org)

