
Trump is trying to change the rules, to allow only the wealthiest immigrants to get a green card or come to the U.S.



Learn more and join us in fighting back.



What is public charge?

There are many reasons why immigrants may be denied permanent residence (aka a “green card”) or not be allowed to enter the United States. Public charge is one of those reasons. Under current laws, the government considers someone a public charge if they are found likely to become primarily dependent on government programs. **Some immigrants are exempt from public charge**, like refugees, asylees, U-visa or T-visa recipients, VAWA, Special Immigrant Juveniles.

Currently, an immigrant could be found to be a public charge if they use:

- Cash assistance (like TANF or SSI)
- Institutionalized long-term care (like living in a nursing home) through Medicaid

A family’s use of any other public benefits like Medicaid, food stamps, or WIC, for eligible family members, will not affect someone’s immigration status.



What could change if there’s a new rule?

The government is considering changes that would expand who is considered a public charge, making it much harder to get a green card or visa. These changes include:

- An applicant’s use of non-emergency Medicaid (MA), food stamps (FAP/SNAP), federally funded housing assistance, and Medicare Part D Low Income Subsidies along with cash assistance and institutionalized long-term care.
- An applicant (not just sponsor) must make at least 125% of Federal Poverty Level (i.e. over \$31,000 for family of 4). Income is only viewed positively if the applicant makes over 250% of the Federal Poverty Level (i.e. nearly \$63,000 for family of 4).
- Factors such as age, health, education and skills. Negative factors include limited English proficiency as well as physical or mental health conditions that could affect ability to work, attend school, or care for oneself.



Do these changes affect my family?

If you’re not eligible for a green card or don’t plan to apply for one, these changes shouldn’t affect you. If you already have a green card, public charge generally only applies if you leave the U.S. for more than 6 months. Consult with your immigration attorney before traveling. Remember some immigrants are exempt from public charge, like refugees, asylees, U-visa or T-visa recipients, VAWA, Special Immigrant Juveniles (SIJ).



Should my family avoid using public benefits?

If you are applying for a green card within the U.S., the rules have not changed, and there is no reason for you or anyone in your family to stop receiving non-cash benefits (like Medicaid and food stamps) that they are eligible for.

If implemented, the new rule would *not* affect eligibility for U.S. citizenship, however green card holders should always consult with an immigration attorney prior to applying for U.S. citizenship or renewing their green card to screen for any issues that could make them deportable.



Getting a green card at the consulate?

CAUTION! Changes to public charge are already beginning at some U.S. consulates.

If you are outside the U.S. seeking admission into the U.S. or planning to travel outside the U.S. to apply for a green card at a U.S. consulate abroad, consult with an immigration attorney *before* leaving the United States.

It's not too late to fight back.

Comment on the proposed public charge rule.

Before a the public charge rules can be changed, the government must accept public comments for 60 days, then review and respond to them. Your voice can make a difference. The deadline to comment is December 10, 2018. Find more information on how to comment at protectingimmigrantfamilies.org.

Join the campaign.

michiganimmigrant.org/protecting-immigrant-families-michigan



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