

IMPORTANT INFORMATION ABOUT PUBLIC BENEFITS

The Dept of Homeland Security (DHS)
wants to change the rules about "public charge".

WHAT IS PUBLIC CHARGE?

"Public charge" is a test to see if a person applying for a visa is likely to depend on specific government programs. Currently the government looks at CalWORKs, Supplemental Security Income (SSI), General Assistance (GA), Cash Assistance Program for Immigrants (CAPI) and long-term care (Nursing Home). Factors like job, skills, education, family income, health are also considered in the test.

Using benefits is not an automatic reason to deny a green card!

BUT the Dept. of Homeland Security (DHS) wants to add other benefits to the test including federally funded, non-emergency Medi-Cal and CalFresh/food stamps, Medicare Part D Subsidies, and Public Housing/Section 8 Assistance.

WHO DOES PUBLIC CHARGE APPLY TO?

The "public charge" test applies to 2 types of immigrants:

- 1** Immigrants applying for visas from outside the U.S.
- 2** Some Immigrants living in the U.S. who are applying for permanent residence (greencards) - not everyone is affected.

WHAT SHOULD YOU DO?

HELP us STOP the changes!

- Tell DHS why it's a bad idea. Submit your comments at protectingimmigrantfamilies.org/#take-action. The Dept. of Homeland Security must address all comments.
- Tell Legal Aid how Medi-Cal, CalFresh/food stamps, Medicare Part D Subsidies or Public Housing/Section 8 helps your family. We can tell DHS for you. Contact **LIBRE at (650) 517-8936**.
- If you received benefits before, tell Legal Aid how you're doing. Contact **LIBRE at (650) 517-8936**.

GET immigration advice from a trusted immigration attorney.

**Until the proposed rules are approved, the current rules apply.
GET MORE INFORMATION BEFORE CANCELLING YOUR BENEFITS**

Qualify for VAWA, a U/T-Visa or Refugee/Asylee/SIJ Status?



NOW: YOU can use ANY benefits, including cash aid without hurting your chances of getting a green card under these programs.

DHS PROPOSED CHANGES: will **not** impact VAWA, a U/T-Visa or Refugee/Asylee/SIJ Status

Already have a green card?



NOW: USCIS CANNOT cancel your green card just because YOU or YOUR Family members use benefits.

YOU CANNOT be denied citizenship for lawfully receiving benefits, including cash aid, health care, food programs & others.



YOU might have a problem if you leave the U.S. for more than 6 months. **Consult a lawyer BEFORE you leave.**

Want to sponsor a relative for a green card?



NOW: Using benefits, including cash aid, health care, & food programs does not prevent you from sponsoring a relative who applies in the U.S., but might affect a relative applying from abroad. **Consult a lawyer.**



DHS PROPOSED CHANGES: DHS has already begun to require a closer relationship between the sponsor and the immigrant. But, it's still the sponsor's income, not their own use of benefits that matters. **Consult a lawyer.**

No green card right now?



NOW: If you are planning to apply for a green card from the U.S., YOU and YOUR family can get:

Health Care: Medi-Cal, ACE

Food: CalFresh/food stamps

Other non-cash programs: public housing, childcare, job training



YOU might have a problem getting a green card if:

- YOU get cash benefits: CalWorks, GA, SSI
- YOUR family's only income is cash benefits
- YOU are in long-term care paid for by Medi-Cal

DHS PROPOSED CHANGES: You might be denied a green card if YOU get CalFresh/food stamps, non-emergency Medi-Cal, Medicare Part D Subsidies or Public Housing/Section 8 assistance unless other factors like a job, improved financial status, etc. outweigh past use. Your family's use of benefits does not count against you. Non-cash benefits used before any changes are finalized will not count.