

— All are Welcome in the County of Alameda —

Immigration: Understanding “Public Charge”



Know Your Rights!

Community Resources:

- Bay Area Legal Aid (510) 663-4744
- Catholic Charities of the East Bay (510) 768-3100
- East Bay Community Law Center (510) 548-4040
- International Institute of the East Bay (510) 451-2846



Does “Public Charge” in the Immigration Process Apply to Me? Not If You Are:

- A Citizen
- A Legal Permanent Resident
- A Refugee
- An Asylee
- A T-Visa Applicant
- Applying for or holding a U-Visa
- A self petitioner under VAWA
- Applying or re-registering for TPS
- An Afghan and Iraqi Special Immigrant
- A Special Immigrant Juvenile
- An Individual Granted Relief Under:
 - CAA, NACARA, HRIFA

Additional categories of immigrants are exempt. The final rule maintains these exemptions. This is a partial list for informational purposes only.



What Does This Mean for My Family?

- The federal government does not access public benefits systems for immigration enforcement.
- Information you’ve shared for public benefits is ONLY used for eligibility determination.
- It is important that you continue to receive the support that helps your family be healthy, fed, and secure in your housing.



What is the New Public Charge Rule?

Updated: January 2020

The White House Administration published a final rule that expands the definition of “public charge” used during the immigration process. A “public charge” is someone that is likely to become primarily dependent on the government for support. The list in yellow below details which programs the federal administration now considers when making a determination. On January 27, 2020, the Supreme Court lifted a nationwide injunction that had paused the implementation of the final rule. An effective date will be known soon.

Public Charge and Public Benefits: What Does This Mean?



The programs in the green box are **NOT** considered in the public charge test. Please continue to use the programs that support your family.



We encourage you to speak with a trusted lawyer to better understand the impact of accessing the listed public benefits below in yellow:



Health:

- Medi-Cal (for Children & Pregnant Women)
- Medicare
- Disability



Nutritional Support:

- WIC
- School Breakfast & Lunch



Children’s Services:

- Head Start
- Child Care
- Public Education



Employment Services:

- Unemployment
- Worker’s Compensation
- Federal & State Retirement



Income Support:

- General Assistance
- CalWORKs
- SSI



Health:

- Medi-Cal (for Adults)



Nutritional Support:

- CalFresh



Housing Assistance:

- Section 8 Voucher Rental Assistance
- Section 8 Project-Based Rental Assistance
- Public Housing

NOTE: The Department of Justice is considering a separate new rule related to “public charge” and deportation. This proposal has not been released, and does not apply to the information here. We are closely monitoring this issue with advocates across the nation, and will provide updated information as soon as more is known.