What is a “public charge?”

An immigrant who uses certain kinds of benefits from the government might be considered a “public charge” by the government. This can affect your immigration status. Just using government programs does not make you a public charge.

Which programs might put someone at risk of being considered a “public charge”?

The only programs that the government can currently ask about are:

- Cash assistance (like TANF or SSI)
- SNAP (food stamps)
- Federal Medicaid (NOT New York State Medicaid, the Essential Plan, Emergency Medicaid, H+H Options, NYC Care, Child Health Plus, or Medicaid for pregnant women and children)
- Section 8 and public housing

Being enrolled in these programs does NOT necessarily mean you will be considered a public charge, but they are some of the things the government looks at.

MOST government benefits are not included on this list. If your children are US Citizens you can apply for them to use these programs without putting yourself at risk.

When does the government decide if someone is a “public charge”? 

It happens when you are applying for a green card. When you apply for citizenship the government does NOT check if you are a “public charge.”

What should I do?

You don’t need to cancel your benefits if you are not at risk of being considered a “public charge.” Even if you are, it is important to think about your and your family’s needs as well as immigration concerns. If you have questions about “public charge” related to an existing or future immigration application, you should consult an immigration legal expert. Call the New Americans Hotline at 1-800-566-7636 for suggestions about where to get legal advice. The hotline is free and anonymous, and help is available in many languages.