PUBLIC CHARGE

DOES THE NEW RULE AFFECT ME?

“Public charge” is an assessment that immigration officers are allowed to make in ***some*** immigration cases when an immigration officer is deciding whether to approve a **green card or visa** application (e.g. some Adjustment of Status applications and Immigrant Visa applications processed through a U.S. consulate abroad). The assessment generally looks at whether someone is likely to depend on government assistance in the future. Changes to the federal approach public charge went into effect on September 18, 2026.

Note: *Anyone with a pending green card application that was filed with U.S. Citizenship and Immigration Services before September 18, 2026, will be decided based on the prior, more favorable policy from 2022.*

- Importantly, the Public Charge assessment does not apply to everyone—each person’s case is different.

- The Public charge rule does NOT apply to many people, including:
  - U.S. citizens
  - Most green card holders
  - Asylees and refugees
  - People with SIJS, U visas, T visas, or VAWA, or
  - People applying for a green card based on SIJS, U visa, T visa, or VAWA.

- If you are considering applying for Adjustment of Status or Consular Processing, you should contact a lawyer for an individual assessment to better understand how the new rule applies to you.

*Get **trusted advice** before you change health care, food aid, or other support for you or your family.*

UNIVERSITY OF CALIFORNIA Immigrant Legal Services Center