

# Community Fact Sheet: Public Charge

Some people who apply for a green card or a visa to enter the U.S. must pass a “public charge” test. In those cases, immigration officials look at whether the person will mostly depend on the government for support in the future. The Trump Administration recently proposed a change to this test, but it is not in place yet. Check <https://pifcoalition.org/campaigns/public-charge-2025/> for updated information about the public charge rule.

For now, immigrant families need to know three important things about public charge:

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## MOST PEOPLE DO NOT HAVE TO WORRY ABOUT PUBLIC CHARGE AT ALL

- Public charge does **not** apply to everyone.
- If you already have a green card and are staying in the US, or if you do not currently have a pathway to getting one, public charge does **not** affect you.
- If you are already a US citizen, public charge does **not** affect you.
- Only people seeking a green card primarily through a family member or seeking to enter the US from outside the country may be subject to the public charge test.
- The public charge rule does **not** apply to many types of immigrants. For example, Asylees and Refugees do **not** face a public charge test when they apply for a green card.

## SOME PUBLIC BENEFITS MAY BE CONSIDERED

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- In November, 2025, the Trump administration proposed to change the current public charge rule but didn't explain what will replace it. This makes it hard to know how officials will consider public benefits when they review a green card application in the future.
- **For now, the old public charge rule put in place by the Biden administration is still in place. This means that food (like SNAP and WIC), housing, and most healthcare benefits, including Oregon Health Plan and Healthier Oregon Program benefits, are **not** considered in a public charge test.**
- Each immigrant will need to decide what is best for themselves and their family. One thing to consider is that if you are currently receiving public benefits, stopping them now won't likely affect your public charge determination.
- If you are applying for a green card, or may apply in the near future, consult your immigration attorney.

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## PUBLIC CHARGE IS NOT JUST ABOUT GOVERNMENT SERVICES

- Immigration officials must look at a person's circumstances **as a whole** when they apply the public charge test, not just whether the person used government benefit programs.
- Immigration officials must look at whether a family member or other person with enough income/resources has promised to support you. That “affidavit of support” and other positive factors can help even if you used government public benefit programs in the past.



## Have questions? You're not alone. There's help.

- Call the Oregon Law Center and Legal Aid Services of Oregon Public Benefits Hotline at 1-800-520-5292.
- **Stay informed** and up to date about the public charge rule by visiting <https://pifcoalition.org/pc> .
- More detailed information about the public charge rule for advocates is available at <https://pifcoalition.org/resources/library/public-charge-what-advocates-need-to-know/>
- Search the [National Immigration Legal Services Directory](#) for free or low-cost legal services.
- [Search](#) for a private immigration lawyer in your area.
- Some Oregon residents may qualify for free immigration legal services through Equity Corps of Oregon. Learn more and seek assistance at <https://equitycorps.org/> or by calling 1-888-274-7292.
- Find information about free food in Oregon at <https://foodfinder.oregonfoodbank.org/> , or by calling 211.
- Find help with other legal issues such as housing, custody, divorce, employment, victim's rights, and more with [Oregon Law Help's directory of nonprofit legal services](#) or [the Oregon State Bar's Lawyer Referral Service](#).

