

# ASYLUM AND PUBLIC CHARGE

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## DOES THE PUBLIC CHARGE RULE AFFECT ASYLEES AND ASYLUM SEEKERS?



**NO!** Asylees are exempt from public charge determinations. If you are or hope to be an asylee, **ACCEPTING GOVERNMENT BENEFITS WILL NOT AFFECT YOUR APPROVAL** for asylum, permanent residence, or citizenship!

## WHAT IS PUBLIC CHARGE?

A "public charge" is simply anyone who relies on the government as their main source of support.

## WHAT IS THE PUBLIC CHARGE TEST?

The public charge test can deny entry or legal status to an immigrant who may become a public charge. The test looks at past or current use of government assistance. It only applies to some immigrants and considers just two types of assistance: long-term care in an institution (like a nursing home) and certain cash benefits (such as SSI or TANF).

## THEN WHY ARE MY FRIENDS WARNING ME ABOUT IT?



In 2019, the Trump Administration announced new rules that applied the test to many more types of assistance—like food, health, and housing. The rules caused hardship and fear for many immigrants, but they were repealed in 2020. **THE NEW RULES NEVER APPLIED TO ASYLEES or ASYLUM SEEKERS.**

## CAN PUBLIC CHARGE EVER IMPACT ASYLEES?



- You could be subject to the test upon reentry after **leaving the U.S. on a green card** for more than **180 days**
- The test could impact a **non-asylee immigrant who relies entirely on your government benefits** (or anyone else's)
- It is important to **consult an immigration attorney\*** with any concerns about your specific situation!

\*[www.immigrationadvocates.org](http://www.immigrationadvocates.org)

## USING THESE PROGRAMS WILL NOT AFFECT YOUR ASYLUM APPLICATION OR STATUS!



- Refugee Cash Assistance
- Unemployment checks
- IRS stimulus checks
- SSI / SSDI / TANF



- Public Housing and "Section 8" Assistance
- Emergency shelter and transitional housing



- SNAP (food stamps), WIC, and Pandemic-EBT
- School lunch programs
- Food banks and pantries



- Medicaid
- CHIP (for children)
- COVID-19 vaccination, testing, or treatment



Did you know? Many other immigration categories are also exempt from the public charge test: Refugee, TPS, VAWA, Afghanistan/Iraq SIV, SIJS, T/U Visa, green card holders seeking renewal/citizenship