

Immigration Public Charge Rule

04.14.2020

What is it?

The Public Charge Rule was enacted through the federal agency of Homeland Security to try and ensure that immigrants applying for green-card status are likely to be financially self-sufficient.

Who Does it Pertain to?

People who are initially applying for a legal status (Green Card) on or after February 24, 2020

Who Does it **not** Pertain to?

- People reapplying for green card renewal
- People who have green cards and are applying for US Citizenship

What does it require?

Complete Form I-944 and Form DS-544, Including the following:

- Educational attainment
- Occupational Skills and Credentials
- Proof of English Proficiency
- Financial Assets and Earnings, etc.

What Is the Government Asking?

Think of these forms as asking you to present a legal defense for why you will most likely be financially self-sufficient over time

Positive Evidence to Present

Attendance in ESL classes

Additional schooling - High School diploma or above

Workforce credentialing

Things you don't need to worry about...

- Attending Adult Education classes
- Receiving free-reduced breakfast/lunch at school
- Other family members receiving government benefits when they are not the person applying for green-card status

How Can Adult Education Help?

- Attending ESL classes can improve English proficiency
- Attending ESL classes is always viewed as positive evidence of self-sufficiency
- Adult Education can provide testing and verification of English Proficiency levels
- Adult Education can help with additional work-related certifications and trainings
- Adult Education can help people earn high school level degrees
- Adult Education can help people in completing the required immigration forms

COVID-19 Specifics You Need to Know

- If you have Covid-19 symptoms, **seek medical assistance**
 - Testing, treatment, or preventative care for Covid-19 can be sought, even if paid for by public assistance funds
- Because of Covid-19 job or financial loss, if you need other services that are typically negative factors (like SNAP), still apply. This can be explained so as to not count against a person.
- Apply for Covid-19 relief cash and unemployment benefits
 - These are considered as monies people have earned and do not fall under the Public Charge Rule.

Additional Links and Resources

- US Citizenship and Immigration Services Form I-944 Declaration of Self-Sufficiency, and instructions: <https://www.uscis.gov/i-944>
- State-by-state list of free and low-cost immigration services: ImmigrationLawHelp.org: <https://www.immigrationlawhelp.org/>
- Protecting Immigrant Families campaign (toolkits, fact sheets, and other resources): <https://protectingimmigrantfamilies.org/>
- Boundless Immigration Public Charge Risk Estimator tool: <https://www.boundless.com/public-charge-estimator/>
- Immigration law and policy resources: NILC.org: <https://www.nilc.org/>
- National Skills Coalition: <https://nationalskillscoalition.org/>: <https://nationalskillscoalition.org/>
- Form DS-5540: <https://eforms.state.gov/Forms/ds5540.PDF>: <https://eforms.state.gov/Forms/ds5540.PDF>