

November 2025

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 has recently proposed a change to this test, **but it is not in place yet.** Three important things immigrant families need to know about public charge are:

1 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, or do not currently have a pathway to getting one, this does not affect you.
- Only people seeking a green card primarily through a family member or who seek to enter the US from outside the country may be subject to this test.
- Many immigrants, such as refugees and asylees, are exempt from a public charge test when they apply for a green card.

SOME PUBLIC BENEFITS MAY BE CONSIDERED

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- As of November 19, 2025, the Trump administration has proposed ending the Biden public charge rule, but has not explained 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 Biden rule is still in place. Food, housing, and most health care programs are not considered.
- If you are currently receiving public benefits, stopping them now won't likely affect your public charge determination, but only you know what is best for your family's future.
- If you are applying for a green card, or may wish to apply in the future, consult your attorney.

3 PUBLIC CHARGE IS NOT JUST ABOUT BENEFITS

- Immigration officials must look at a person's circumstances as a whole, not just whether the person used government programs.
- This includes whether a family member or another person with enough income or resources has promised to support you. That “affidavit of support” and other positive factors can help even if you have used government programs in the past.

Please check for updates as policies can change.