PROTECTING IMMIGRANT FAMILIES

WHAT CHANGED WITH PUBLIC CHARGE?

September 2026

The Trump Administration has ended protections against bias and discrimination in green card applications, starting on September 18, 2026. Learn how public charge is changing.

	2022 Rule	Policy Starting September 18, 2026
Who in the U.S. does public charge apply to?	People applying for family-based green cards, or people with green cards who leave the country for more than 6 months.	**No change.** People applying for family-based green cards, or people with green cards who leave the country for more than 6 months.
What programs are considered?	Federal or State cash assistance for income maintenance and long-term institutionalization at government expense	On or after September 18, 2026, immigration officers will not be restricted and can look at many types of benefits
Is past use of safety net programs considered?	Yes. Only the above two benefits listed	**Yes.** The new policy allows DHS to consider the two types of benefits used before September 18, 2026, and the use of other safety-net programs after that date.
Is a family member's use of programs considered?	No.	**Maybe.** Officials can look at whether a dependent uses benefits, but that information is not collected on the application form. They may use this information as a clue about the applicant's income and financial situation.
Is an affidavit of support considered?	Yes. It is required for sponsored immigrants. Applicants with a sponsor are more likely to "pass" the public charge test.	**Yes.** It is required for sponsored immigrants, but immigration officers can decide whether to treat it as a positive factor. Sponsors may face more review.
What other factors are considered?	Age, Income, Education, Skills, Employment, Health , Affidavit of Support, and Certain Benefits Programs	**Any** - Age, Income, Education, Skills, Employment, Health, Affidavit of Support, and Benefits Programs, and immigration officers can use their own discretion to consider other factors as well.