



FACT SHEET: Changes to Public Charge Rule

On March 9, 2021 the Biden Administration [announced](#) that it would not defend the Trump Administration’s “public charge” rules. The change is finalized, and more immigrants are eligible to become lawful permanent residents (LPRs, or green card holders).

What Will Change?

The public charge rule says that the U.S. government should not give LPR status to immigrants it thinks might be too dependent on government benefits. The Trump Administration expanded the scope of this rule by adding new factors for the government to consider. **The following benefits counted against LPR applicants, but they will not anymore:**

- Health care: Medicaid or Health First Colorado
- Food assistance: SNAP or food stamps
- Public housing vouchers like Section 8

The Trump Administration’s rule also looked more closely at applicants’ income, assets, age, health, household size, education, skills, and employment history.

What Will Not Change?

The public charge rule has been in place for years; the Trump Administration just made it a much greater hurdle to getting green cards. It will go back to being a fairer evaluation.

When Is the Public Charge Analysis Used?

The public charge rule only applies to LPR applicants—not citizens and LPRs applying for citizenship. It does not apply to individuals with humanitarian relief including Temporary Protected Status (TPS), asylum, refugee status, U and T visas, Special Immigrant Juvenile Status (SIJS), and humanitarian parole.

If you have questions about what this means for you and your family, or to evaluate your current options, please call the Meyer Law Office at (303) 831-0817 for a consultation.

April 21, 2021