

Important information on changes to immigration rules on public benefits

The federal government has finalized a “public charge” rule that may impact immigrants’ applications for visas, permanent residency, or admission to the U.S. if they receive certain public benefits. The U.S. Supreme Court has allowed the rule to be implemented, and the U.S. Citizenship and Immigration Services (USCIS) will implement the new rule on February 24, 2020. We have reviewed the rule and want to provide accurate, reliable information for individuals and families who may be impacted.

- Programs and services administered by the State of Washington Department of Social and Health Services will remain in place and are accessible to people who are eligible.
- DSHS continues to protect the confidentiality of clients’ personal information and does not share this information unless required by state or federal law.
- Public charge does not apply to all immigrants. Every family is different and people should make the right choice for them and their families, based on their specific situation.
 - It does not impact lawful permanent residents (“green card holders”) applying for U.S. citizenship or naturalization.
 - It does not impact refugees and asylees, Amerasian immigrants, Afghan and Iraqi Special Immigrant Visa Holders, Cuban/Haitian Entrants, humanitarian parolees, victims of human trafficking (T-Visa), victim of criminal activity (U-Visa), Special Immigrant Juveniles, or VAWA (Violence Against Women Act) self-petitioners.
 - It may impact those applying for lawful permanent residency (“green cards”) or admission to the United States — including diversity visa immigrants and applications to renew, change or extend visas in the United States.

- Many public benefits are not part of the new rule. Families should feel comfortable continuing to use benefits they are eligible for that are not implicated under the new rule.
 - The new rule will consider cash assistance programs, long-term medical institutionalization, and some federal healthcare, nutrition, and housing benefits. For a complete list of benefits, see the Frequently Asked Questions.
 - The new rule will not consider any other federal benefits. That includes WIC, CHIP, school lunches, food banks, shelters, and many more.
 - No changes are being made to non-cash state and local benefits.
- The rule will apply to applications for adjustments of status, extensions of stay, or permanent residency postmarked on or after February 24, 2020.
- The rule will consider benefits received on or after February 24, 2020. It does not apply retroactively and cannot consider benefits received prior to this date.
- It does not count the use of benefits by a person's family members. The use of benefits by children or other household members would not be counted against an individual applying for permanent residency or admission to the United States.

Those with questions or concerns about the impact of using public benefits on their immigration status should contact an immigration attorney. Resources may be available through one of the organizations listed on the Governor's website: <https://www.governor.wa.gov/issues/issues/safe-communities/immigration-and-refugee-resources>.

Additionally, you may contact one of the following organizations for help:

- CLEAR Hotline: 1-888-201-1014
- Northwest Immigrant Rights Project (NWIRP):
 - NWIRP Seattle Office: 206-587-4009
 - NWIRP Yakima Valley (Granger) Office: 509-854-2100
 - NWIRP Wenatchee Office: 509-570-0054