



Know the FACTS about PUBLIC CHARGE
Last updated Jan. 31, 2020

The new federal public charge rule is no longer blocked. It will take effect on Feb. 24, 2020. It will not be retroactive.

- On Jan. 27, 2020, the U.S. Supreme Court set aside a preliminary injunction from New York that prevented the U.S. Department of Homeland Security public charge rule from taking effect nationwide.
- Because the new rule will **not** be retroactive, no one will be held to it until Feb. 24, 2020.
- The state of Oregon is monitoring developments around public charge closely.
 - We will continue to update our clients, community partners, members of the public and other stakeholders as more information becomes available.

The public charge rule does not apply to every immigrant.

- Many are exempt, such as refugees and asylees.

Many public benefits don't count towards public charge.

- For an overview of the public benefit programs in Oregon that do (and do not) count as public charge, see the state of [Oregon's FAQ on Public Charge](#).
- Eligibility rules for public benefits in Oregon have not changed.

Public benefits your children or other family members get don't count against you in the public charge test.

Getting public benefits alone does not make you a public charge.

- The public charge test is supposed to look at all of a person's circumstances—not just if they are likely to use public benefits—weighing various positive factors against any negative ones, such as the use of public benefits.

Stay informed. Things could change.

- Don't make decisions based on fear, make them based on facts.
 - Public charge is complicated.
 - Every case is different.
 - Only some immigrants are directly affected.
 - While the rule can now go into effect, litigation efforts are on-going.

You're not alone. There's help.

- Talk to a legal expert before making decisions to go without health, nutrition, housing and other public assistance you qualify for and that you and your family need to thrive.
 - Call the **Oregon Public Benefits Hotline** at **1-800-520-5292**, or
 - Go online to find an immigration attorney at oregonimmigrationresource.org.