

Here are the benefits that will block a legal immigrant's path to a green card or visa

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Legal immigrants in the United States will face new hurdles after Oct. 15, when the Department of Homeland Security's final rule on public charge ground of inadmissibility goes into effect.

The new policy, part of the [Trump's Administration wide effort to curb legal immigration](#), will affect immigrants living in the U.S. who want to adjust their status to permanent resident for a green card, as well as foreign citizens overseas applying for immigrant and non-immigrant visas to enter the country.

In one of the administration's most aggressive measures yet to limit legal immigration, low-income immigrants who get public assistance benefits like food stamps or Medicaid [now will be denied green cards and visas](#).

Since DHS published the final rule [Inadmissibility on Public Charge Grounds](#) two weeks ago, fears and confusion have arisen within immigrant communities across the country about which social assistance benefits are considered "public charge" indicators when applying for immigration benefits.

Immigration authorities have tightened the definition of a public charge to be any "individual who receives one or more designated public benefits for more than 12 months, in the aggregate, within any 36-month period," U.S. Citizenship and Immigration Services [explained in a recent press release](#).

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According to a legal resource guide published by the immigration agency to [answer frequent questions about the application of the public charge ground of inadmissibility](#), here are the nine benefits that will categorize a person as not self-

sufficient and, hence, not eligible for admission to the U.S. or [adjustment of status](#) to lawful permanent resident (green card):

- Federal, state, local, or tribal cash assistance for income maintenance
- [Supplemental Security Income](#) (SSI)
- [Temporary Assistance for Needy Families](#) (TANF)
- Federal, state or local cash benefit programs for income maintenance (often called “General Assistance”)
- [Supplemental Nutrition Assistance Program](#) (SNAP, or formerly called “Food Stamps”)
- Section 8 Housing Assistance under the [Housing Choice Voucher Program](#)
- Section 8 Project-Based Rental Assistance (including Moderate Rehabilitation)
- Public Housing under [Section 9 the Housing Act of 1937](#)
- Federally funded [Medicaid](#) (with certain exclusions)

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Benefits that don’t represent public charge

USCIS also listed which public benefits are not included in DHS regulations as factors adjudicators will analyze when determining whether an immigrant is a public charge:

- Medicaid for the treatment of an emergency medical condition
- Medicaid but provided under the Individuals with Disabilities Education Act
- School-based services or benefits provided to individuals who are at or below the oldest age eligible for secondary education as determined under state or local law

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- Medicaid received by a person under 21
- Medicaid received by a woman during pregnancy and during the 60-day period beginning on the last day of the pregnancy

Family members receiving benefits

Although there has been a lot of confusion about the use of benefits by family members or dependents of immigration benefits applicants, USCIS clarified that, “DHS will only consider public benefits received directly by the applicant for the applicant’s own benefit.”

“DHS will also not attribute receipt of a public benefit by one or more members of the applicant’s household to the applicant,” the agency noted.

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These tips will help immigrants prepare for interviews with U.S. Citizenship and Immigration Services officials for green card, visa, citizenship, asylum or status adjustment applications.

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Daniel Shoer Roth is a journalist covering immigration law who does not offer legal advice or individual assistance to applicants. Follow him on Twitter [@DanielShoerRoth](#). The contents of this story do not constitute legal advice.

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Video captures the moment when two immigrants get their green cards by mail

Alex Carrillo spontaneously filmed the moment when his parents Adrian and Verónica Carrillo opened the USCIS envelopes with their permanent residence cards. The teenager did not imagine that the video would go viral.

By Courtesy of Alex Carrillo



Daniel Shoer Roth es un galardonado autor, biógrafo y periodista con 20 años en la plantilla de el Nuevo Herald, donde se ha desempeñado como reportero, columnista de noticias y actual coordinador de AccesoMiami.com, una guía sobre todo lo que necesitas saber sobre Miami, asuntos legales e inmigración.