

# Public Charge

- January 2017**  
**DRAFT ORDER CIRCULATED**  
The draft order outlining intended changes to public charge circulates among government officials and is leaked to the public. Changes to public charge include new standards for when an immigrant would be considered a public charge, including considering SNAP, TANF, and Medicaid use in a determination. This release sparks fear and confusion, causing a chilling effect among immigrant communities
- October 18, 2018**  
**NOTICE OF PROPOSED RULEMAKING ISSUED**  
The U.S. Department of Homeland Security (DHS) issues a Notice of Proposed Rulemaking, opening a 60-day comment period. Over 266,000 public comments are submitted.
- August 14, 2019**  
**FINAL "INADMISSIBILITY ON PUBLIC CHARGE GROUNDS" RULE PUBLISHED**  
DHS publishes the final public charge rule, set to go into effect on October 15, 2019.
- August - September 2019**  
**LAWSUITS FILED AGAINST THE PUBLIC CHARGE RULE**  
Twenty-two states and the District of Columbia, and several counties, community-based organizations, and advocacy organizations file suits against the public charge rule.
- October 2019**  
**INJUNCTIONS BLOCK IMPLEMENTATION FOR OCTOBER 15, 2019**  
Four U.S. District Courts place injunctions on the final rule, blocking DHS from implementing it. Three of the injunctions put a nationwide block on implementation. DHS appeals these injunctions.
- December 5 and 9, 2019**  
**TWO INJUNCTIONS REMOVED, ONE REMAINS**  
U.S. Court of Appeals for the Ninth and Fourth Circuits grant DHS' motion for a stay on the preliminary injunctions, removing its block to implementing the rule. One nationwide injunctions still block DHS from implementing the rule.
- January 8, 2020**  
**COURT DENIES REMOVAL OF INJUNCTION**  
U.S. Court of Appeals for the Second Circuit denies the government's request of a stay on the injunction, leaving the injunction and block on implementing public charge in place.
- January 28, 2020**  
**SUPREME COURT LIFTS INJUNCTION**  
The U.S. Supreme Court lifts the final nationwide injunction , making a pathway for the rule to be implemented.
- January 30, 2020**  
**USCIS ANNOUNCES IMPLEMENTATION DATE**  
U.S. Citizenship and Immigration Services (USCIS) announces that applications submitted on or after February 24, 2020, will be subject to the final public charge rule.

**Public charge is a test considered when someone applies for a green card.** The previous definition is a person who is "likely to become primarily dependent on the government for subsistence." The final rule changes the definition to a person who receives 12 months of Medicaid, SNAP, federal housing assistance, or state or federal cash assistance programs within a 36-month period. To make that assessment, officials look at overarching factors in a "totality of circumstances test," including a person's age, health, family status, income, education and skills, and affidavit of support. If a person is deemed likely to become a public charge, his or her application may be denied.