

Preventing Public Benefits Reliance

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What is a public charge?

- A public charge is a person that becomes primarily dependent on the government for subsistence, as demonstrated by accepting public cash assistance for income maintenance or long-term institutionalization at government expense.
- This includes things like:
 - Receiving resources from the U.S. Social Security Administration's Supplemental Security Income program;
 - Receiving services from the federally funded Temporary Assistance for Needy Families program;
 - Receiving General Assistance from state and local programs that aim to help low-income families;
 - Long-term institutionalized care at nursing facilities and/or mental health institutions at government expense.

What are the consequences of nonimmigrant visa holders abusing public benefits?

- The consequences of abusing U.S. public benefits as a foreign visitor could include having your visa revoked.
- It also could include future visa ineligibility, and in the case of fraud, criminal prosecution.

How does a consular officer determine if a visa applicant is ineligible for a visa due to public charge concerns?

- For more than 100 years, the U.S. Department of State has had the authority under the Immigration and Nationality Act to deny a visa based on the likelihood of an applicant becoming a public charge in the United States.
- Consular officers are tasked with vigilant screening and vetting of visa applicants to prevent non-U.S. citizens who cannot cover their own living expenses, including medical costs, from traveling to the United States with the expectation that American taxpayers will bear those costs.
- Consular officers consider all aspects of a visa application to determine an applicant's circumstances, including but not limited to age, health, family status, financial status, education/skills, and current or past use of U.S. public benefits.

Can non-U.S. citizens still travel to the United States for medical treatment?

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- Non-U.S. citizens who can demonstrate they are not likely to become reliant on the U.S. government for public benefits or medical care can still be considered for a visa to travel to the United States for the treatment and return to their home country.
- Consular officers adjudicate visas on a case-by-case basis. We do not issue a visa until an applicant has demonstrated to the satisfaction of the consular officer adjudicating the case that he or she is eligible to receive a visa under U.S. law.