



Quick summary: The [Trump administration's](#) new Trump Immigration Policy and public charge rule took effect on **September 18, 2026**, and changes how immigration officers assess certain green card and admission applications. It does **not** automatically deny a green card because someone used Medicaid, SNAP, or another benefit, and it does not apply to every immigrant or immigration filing. However, it gives DHS and USCIS broader discretion to evaluate benefit use alongside an applicant's health, income, household situation, education, skills, and financial resources.[\[govinfo\]](#)[\[govinfo\]](#)

For immigrants and mixed-status households, the most important message is to avoid fear-based decisions. Do not stop medical care, food assistance, housing support, or other benefits without individualized immigration advice. A public-charge analysis depends on the specific application, the applicant's immigration category, the benefit involved, and when it was received. Lunel Law can help families understand whether the new rule applies before they make changes that could affect both their well-being and their immigration goals.

Important: This article provides general information, not legal advice. Immigration law and federal litigation can change quickly. For advice about your own benefit use, green card application, or pending USCIS case, speak with a [qualified immigration attorney](#).



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Quick View: 2026 Green Card Rule

Question	Quick answer
What changed?	DHS rescinded the 2022 public-charge regulation and restored broader case-by-case discretion for officers reviewing certain immigration applications. [govinfo]
When did it take effect?	September 18, 2026. [govinfo]
Who may be affected?	Certain applicants for admission and adjustment of status , including some family-based and employment-based green card applicants .
Does benefit use mean automatic denial?	No. Receipt of a means-tested benefit is one factor and is not automatically outcome-determinative. [govinfo]
Are current green card holders applying for renewal affected?	Generally, a green card renewal itself is not a public-charge application. Individual facts may still matter in other proceedings.
Does it affect citizenship applications?	Public charge generally does not apply to naturalization applications .
What should applicants do now?	Confirm whether the rule applies, preserve records, use the current USCIS form edition, and obtain case-specific legal advice before changing benefits or filing.

What Is the Trump Public Charge Rule?

“Public charge” is an immigration-law concept used to assess whether a noncitizen is likely to become primarily dependent on the government. Under the Trump administration’s 2026 rule, officers reviewing covered applications may use a broader totality-of-the-circumstances analysis when deciding whether an applicant is likely to become a public charge.

The Department of Homeland Security published the final rule in July 2026 and made it effective September 18, 2026. The regulation rescinds the Biden administration’s 2022 public-charge framework, which had limited the benefits and factors that could be considered. DHS says the revised approach restores discretion to review all relevant facts in an applicant’s case.[\[govinfo\]](#)[\[govinfo\]](#)

For people searching for “Trump immigration policy green card,” the key point is this: the rule creates more scrutiny for some future [green card applicants](#), but it is not a blanket rule against immigrants who have ever received public benefits.

A USCIS officer may consider factors such as:

- Age and health
- Family status and household circumstances
- Assets, resources, and overall financial situation
- Education, work history, and job skills

- Affidavits of support and available family support
- Receipt of certain means-tested public benefits
- Other facts the officer considers relevant to the applicant's future ability to support themselves

The analysis is forward-looking. That means an officer is not supposed to treat a single benefit, financial challenge, or health condition as an automatic reason to deny a case. Still, because the rule gives officers greater discretion, applicants should prepare carefully and address potential concerns with complete, well-organized evidence.[\[govinfo\]](#)[\[economictimes.indiatimes\]](#)

What Changed on September 18?

The 2026 public charge policy changed both the standard USCIS applies and the filings affected by the new standard.

Before September 18, 2026	On or after September 18, 2026
The 2022 public-charge rule generally applied to pending qualifying cases.	The 2026 final rule applies to covered adjustment-of-status cases filed on or after the effective date.



Trump Immigration Policy and Green Cards: What the 2026 Public Charge Rule Means for Applicants and Families

Before September 18, 2026	On or after September 18, 2026
DHS generally focused on cash assistance for income maintenance and long-term institutionalization at government expense.	Officers may consider receipt of means-tested public benefits as part of a broader review. [govinfo]
The earlier framework provided more defined regulatory limits.	Officers have broader totality-of-the-circumstances discretion. [govinfo]
Older Form I-485 editions could be used if valid at filing.	USCIS requires the current Form I-485 edition for qualifying filings made on or after September 18, 2026. [business-standard][rjimmigrationlaw]

The timing of an application is especially important. The rule applies to applications for admission made on or after September 18, 2026, and to [adjustment-of-status](#) applications that are postmarked or electronically submitted on or after that date. Benefits received before September 18 generally remain subject to the prior 2022 framework.[[govinfo](#)][[govinfo](#)]

For example, if a person mailed a properly completed [Form I-485](#) before September 18, 2026, their application is generally evaluated under the previous framework even if USCIS decides the case later. A person filing a new [Form I-485](#) on or after September 18 may be subject to the new public-charge analysis and must use the current form edition.[[murthy](#)][[news18](#)]

Will the New Rule Hurt Green Card Holders?

For many existing lawful permanent residents, the answer is **not directly**. The public-charge ground of inadmissibility generally concerns people seeking admission to the United States or applying to adjust status to become permanent residents. It is not ordinarily part of a routine [green card renewal](#) or a [naturalization application](#).

However, green card holders should be careful not to assume that every situation is the same. Individual legal questions can arise when a lawful permanent resident:

- Has been outside the United States for a prolonged period and may face questions about returning to the country
- Has a pending or future immigration application involving a family member
- Is involved in removal proceedings
- Is considering applying for U.S. citizenship and has other immigration or criminal-history concerns
- Needs to understand whether a specific benefit, sponsor obligation, or household change affects a separate immigration matter

The new rule is likely to matter most for people who are [applying for green cards](#), including certain applicants filing through a U.S. citizen or lawful permanent resident family member, employment, or the diversity visa program. The immigration category, benefit history, evidence of financial support, and filing date can all shape the analysis.

At [Lunel Law](#), our immigration attorneys help clients evaluate green card eligibility, prepare [adjustment-of-status applications](#), and respond to USCIS concerns with a strategy built around the client's individual circumstances.

Which Benefits Can Matter?

The new rule permits consideration of a wider range of means-tested public benefits as part of the overall public-charge review. This may include non-cash programs, depending on the facts and applicable agency guidance. The benefit's timing and the applicant's immigration category are important.

Benefit-related question	Why it matters
Was the benefit received before or after September 18, 2026?	The rule says benefits received before the effective date are generally considered under the 2022 standard. [govinfo]
Was the benefit received by the applicant or by another household member?	DHS generally does not treat benefits received by relatives or household members as benefits received by the applicant.
Is the applicant exempt from public charge?	Many humanitarian categories are exempt, making the analysis very different.

Benefit-related question	Why it matters
Is the applicant filing a covered green card or admission case?	Public charge does not apply to every immigration filing.
What other evidence supports the case?	Employment, income, education, health coverage, assets, family support, and an Affidavit of Support may all be relevant.

A family should not assume that a child's benefit use automatically harms a parent's immigration case. Under the agency's framework, benefits received by relatives, including children, are generally not attributed to the applicant. But family income, financial support, and the facts disclosed in immigration forms can still matter. That is why mixed-status households should seek advice before withdrawing from benefits or submitting an application.[\[novo-legal\]](#)

Who May Be Exempt?

Public charge does not apply to every person seeking immigration benefits. Many humanitarian immigration categories are exempt from the public-charge ground of inadmissibility, including people seeking protection through asylum, refugee status, [VAWA self-petitions](#), U visas, T visas, and Special Immigrant Juvenile Status.

It also generally does not apply to:



- U.S. citizens
- Applicants renewing an existing green card
- Applicants applying for U.S. citizenship through [naturalization](#)
- Many humanitarian-based immigration applicants
- Other categories specifically exempted by immigration law

That does not mean every immigration concern disappears. A person may still need help with eligibility, deadlines, evidence, interviews, removal defense, or a USCIS request for evidence. But an exemption can substantially change the advice a family receives about benefits and future filings.

Lunel Law represents immigrants in matters involving [lawful permanent residency and green cards](#), citizenship and naturalization, family petitions, fiancé visas, asylum, removal defense, U visas, and appeals. The firm's practice focuses on helping immigrants and refugees navigate the U.S. immigration system with informed, practical legal guidance.[\[lunellaw\]](#)[\[linkedin\]](#)

What Green Card Applicants Should Do

The new public charge review does not call for panic. It calls for careful preparation.

1. Confirm Whether Public Charge Applies

Do not rely on a headline, social-media post, or another person's experience. Before changing benefits or filing an application, confirm whether public charge applies to your immigration category.

For instance, a person applying for a family-based green card may need a detailed review, while a [VAWA self-petitioner](#) or **U-visa** applicant may fall into an exempt category. The same benefit can have very different implications depending on the type of case.

2. Check Important Dates

Document the date of any benefit use and the date your immigration application was filed or will be filed. The September 18, 2026, effective date is central to the new rule. Applications filed before that date and applications filed afterward may be reviewed under different standards.[\[govinfo\]](#)[\[murthy\]](#)

3. Use the Correct Form I-485

USCIS updated [Form I-485](#) to align with the public-charge policy. Older editions submitted or postmarked on or after September 18, 2026, may not be accepted. Before filing, verify the edition date and instructions directly through USCIS or with your attorney.[\[business-standard\]](#)[\[rjimmigrationlaw\]](#)

4. Keep Helpful Evidence

For a covered [adjustment-of-status filing](#), organize records that accurately reflect your circumstances. Depending on the case, useful documents may include:

- Recent tax returns and W-2s
- Pay stubs and employment-verification letters
- Bank records or evidence of assets
- Health-insurance information
- Educational credentials, professional licenses, or job training
- A properly prepared Form I-864, Affidavit of Support, when required
- Documentation about family support and household income
- Benefit notices and records showing relevant dates

Do not create documents, omit required information, or make assumptions about what USCIS will discover. A well-prepared application should be accurate, complete, and supported by evidence.

5. Do Not End Needed Benefits Without Advice

Families may be tempted to discontinue SNAP, Medicaid, housing assistance, or local services. That decision can create serious health, nutrition, housing, and financial consequences. Because the public-charge rule is fact-specific and exemptions are common, speak with a qualified immigration attorney before making benefit decisions based on fear.

August and September 2026 Updates

The rule developed quickly during late summer 2026, and applicants should continue to watch for new government guidance and court developments.

Date	Update	Why it matters
July 20, 2026	DHS published the final rule rescinding the 2022 public-charge regulation. [govinfo][govinfo]	This started the transition to the revised public-charge framework.
August 18, 2026	USCIS issued policy guidance explaining how it would implement the new standard. [murthy]	The guidance clarified how USCIS may evaluate covered Form I-485 cases.

Date	Update	Why it matters
September 18, 2026	The final rule became effective. [govinfo]	Covered applications for admission and adjustment cases filed on or after this date may be reviewed under the new standard.
September 18, 2026	USCIS began requiring the revised Form I-485 edition for applicable filings. [business-standard][rjimmigrationlaw]	Using an outdated form can lead to rejection, delays, and missed filing windows.
September 2026	State and local governments challenged the rule in federal court.	Litigation could affect how the rule is implemented, so applicants should monitor current developments with counsel.

FAQs

Does using Medicaid automatically cause a green card denial?

No. Under the new framework, receipt of a means-tested benefit is not automatically outcome-determinative. USCIS and DHS can review it as one part of a broader assessment that includes financial resources, health, age, household circumstances, education, skills, and



other factors.[[govinfo](#)][[economictimes.indiatimes](#)]

I already have a green card. Should I stop using benefits?

Do not stop needed benefits based solely on general information online. Public charge generally does not apply to routine [green card renewals](#), and it generally does not apply to citizenship applications. However, immigration consequences can depend on the reason for a future filing, travel history, pending proceedings, and other facts. Seek individualized legal advice first.

Do benefits received by my U.S. citizen child count against me?

Generally, DHS does not attribute benefits received by relatives, including children, to the immigration applicant. Still, household income, support, and information included in a green card application may remain relevant. It is wise to discuss your particular circumstances with an immigration attorney before changing enrollment or filing [Form I-485](#). [[novo-legal](#)]

Does the 2026 public charge rule apply to my old I-485 filing?

It depends on when the application was properly filed. DHS states that the new rule applies to [adjustment-of-status applications](#) postmarked or electronically submitted on or after September 18, 2026. Applications filed before that date are generally reviewed under the prior framework.[\[govinfo\]](#)[\[murthy\]](#)

What happens if I use the wrong Form I-485 version?

USCIS may reject the filing if an outdated form edition is postmarked or submitted electronically on or after September 18, 2026. This can delay the case and may be especially serious where visa availability, work authorization, age-out risks, or deadlines are involved.[\[business-standard\]](#)[\[rjimmigrationlaw\]](#)

Are asylum seekers and U-visa applicants affected by public charge?

Many humanitarian categories are exempt from public charge, including asylum seekers, refugees, [VAWA self-petitioners](#), U-visa applicants, T-visa applicants, and Special Immigrant Juvenile Status applicants. However, each immigration case can involve separate



eligibility and procedural issues, so legal advice remains important.

Can lawsuits stop or change the rule?

Potentially. Lawsuits challenging the policy were filed in September 2026, and court rulings may affect implementation. Until a court issues an enforceable order changing the rule, applicants should follow current filing requirements and obtain updated advice for pending or planned cases.

How Lunel Law Can Help

The 2026 Trump immigration policy changes create uncertainty, but uncertainty does not have to lead to avoidable mistakes. Lunel Law helps immigrants and families understand the rules that apply to their own goals—not just the rules making headlines.

Our team can help with:

- Reviewing whether public charge applies to your proposed filing
- Evaluating benefit history in the context of a [green card](#) strategy

- Preparing family-based and marriage-based green card applications
- Building evidence of employment, income, financial resources, and family support
- Preparing and reviewing [Form I-485](#) and required supporting documents
- Responding to USCIS requests for evidence or public-charge concerns
- Filing family petitions, fiancé visa cases, and [naturalization applications](#)
- Representing clients in removal proceedings and appeals

If you are worried about how the Trump administration's public benefits immigration rule may affect your green card application, do not make major decisions about benefits or filing strategy without legal guidance. Contact [Lunel Law](#) to discuss your immigration options and develop a plan tailored to your circumstances.

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