
On September 5, 2025, USCIS issued a [policy memo](#) to USCIS officers related to public charge. Three key takeaways from the memo are:

- 1. It does not change the benefits considered in a public charge test.**
- 2. The [Biden public charge](#) rule is still in place.**
- 3. Public charge policy has not changed.**

The memo provides guidance to USCIS officers who are making decisions about applications for adjustment of status/ green cards. In a nutshell, it reminds USCIS officers of tools at their disposal under [the existing, Biden, policy framework](#) to be “strict” when reviewing green card applications.

For example, it reminds officers that, according to the Biden public charge policy, applicants must:

- Fill in all of the public charge-related questions on the form. If any are blank, the officer must request that info. If the applicant does not provide it, the applicant is inadmissible on public charge grounds.
- File an Affidavit of Support, if not exempt from this requirement, indicating that a sponsor and joint sponsor has enough resources to be financially responsible for the applicant. If sponsors’ income is less than 125% of the federal poverty guidelines for their family size (100% if sponsor is in the military), or the non-exempt applicant does not submit the Affidavit of Support, the applicant is inadmissible on public charge grounds.

It also reminds officers, according to the Biden public charge policy, to doublecheck forms to ensure that:

- An applicant who indicates that they are exempt from a public charge determination on the form is actually eligible for an exemption.
- The applicant has correctly counted the number of people included in their household size.

For more information about public charge, please see [Public Charge: What Advocates Need to Know](#).