

INA Sec. 212(a)(4) Public charge

(A) In general.-Any alien who, in the opinion of the consular officer at the time of application for a visa, or in the opinion of the Attorney General at the time of application for admission or adjustment of status, is likely at any time to become a public charge is inadmissible. [6/](#)

(B) Factors to be taken into account.- (i) In determining whether an alien is excludable under this paragraph, the consular officer or the Attorney General shall at a minimum consider the alien's-

(I) age;

(II) health;

(III) family status;

(IV) assets, resources, and financial status; and

(V) education and skills

(ii) In addition to the factors under clause (i), the consular officer or the Attorney General may also consider any affidavit of support under section [213A](#) for purposes of exclusion under this paragraph.

(C) Family-Sponsored immigrants.-Any alien who seeks admission or adjustment of status under a visa issued under section [201\(b\)\(2\)](#) or [203\(a\)](#) is excludable under this paragraph unless-

(i) the alien has obtained-

(I) status as a spouse or a child of a United States citizen pursuant to clause (ii), (iii), or (iv) or section [204\(a\)\(1\)\(A\)](#) , or

(II) classification pursuant to clause (ii) or (iii) of section [204\(a\)\(1\)\(B\)](#) ; [6aa/](#)

(III) [6aa/](#) classification or status as a VAWA self-petitioner; or

(ii) the person petitioning for the alien's admission [6a/](#) (and any additional sponsor required under section [213A\(f\)](#) or any alternative sponsor permitted under paragraph (5)(B) of such section) has executed an affidavit of support described in section [213A](#) with respect to such alien.

(D) Certain employment-based immigrants.-Any alien who seeks admission or adjustment of status under a visa number issued under section [203\(b\)](#) by virtue of a classification petition filed by a relative of the alien (or by an entity in which such relative has a significant ownership interest) is excludable under this paragraph unless such relative has executed an affidavit of support described in section [213A](#) with respect to such alien.