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23 IN THE UNITED STATES DISTRICT COURT
24 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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16 **STATE OF CALIFORNIA, DISTRICT OF
17 COLUMBIA, STATE OF MAINE,
18 COMMONWEALTH OF PENNSYLVANIA AND
19 STATE OF OREGON,**

Plaintiffs,

20 **v.**

21 **U.S. DEPARTMENT OF HOMELAND SECURITY,
22 ET AL.,**

23 Defendants

Case No. 4:19-cv-04975-PJH

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**PLAINTIFFS' REQUEST FOR
JUDICIAL NOTICE**

Date: June 10, 2020
Time: 9:00 a.m.
Dept: Courtroom 3, 3rd Floor
Judge: Hon. Phyllis Hamilton
Trial Date: Not set.
Action Filed: August 16, 2019

1 PLEASE TAKE NOTICE that Plaintiffs the State of California, the District of Columbia,
2 the State of Maine, the State of Oregon, and the Commonwealth of Pennsylvania (the States)
3 hereby request, pursuant to Rule 201 of the Federal Rules of Evidence, that the Court take judicial
4 notice of the items described below in connection with the States' Opposition to Defendants'
5 Motion to Dismiss, filed concurrently.

6 1. Exhibit A: Notice by U.S. Citizenship and Immigration Services, "Public Charge,"
7 last updated March 27, 2020, available at <https://www.uscis.gov/green-card/green-card-processes-and-procedures/public-charge> (last visited May 6, 2020).

8 2. Exhibit B: U.S. Citizenship and Immigration Services Manual, Volume 8, Part G,
9 Chapter 12, "Prospective Immigration Status and Expected Period of Admission," current as of
10 April 24, 2020, available at <https://www.uscis.gov/policy-manual/volume-8-part-g-chapter-12>
11 (last visited May 6, 2020).

12 A Court "must take judicial notice" of adjudicative facts "if a party requests it and the court
13 is supplied with the necessary information." Fed. R. Evid. 201(c)(2). The Court can judicially
14 notice any "fact that is not subject to reasonable dispute because it: ... can be accurately and
15 readily determined from sources whose accuracy cannot reasonably be questioned." Fed. R.
16 Evid. 201(b)(2). Both exhibits are governmental memoranda which are available on USCIS'
17 website discussing the Rule, and are appropriate for judicial notice. *See Anderson v. Holder*, 673
18 F.3d 1089, 1094 n.1 (9th Cir. 2012) (taking judicial notice of USCIS interpretation guidance).

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1 Dated: May 6, 2020

Respectfully Submitted,

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EXHIBIT A



U.S. Citizenship and Immigration Services

Public Charge

Alert: USCIS encourages all those, including aliens, with symptoms that resemble Coronavirus 2019 (COVID-19) (fever, cough, shortness of breath) to seek necessary medical treatment or preventive services. Such treatment or preventive services will not negatively affect any alien as part of a future Public Charge analysis.

The Inadmissibility on Public Charge Grounds final rule is critical to defending and protecting Americans' health and its health care resources. The Public Charge rule does not restrict access to testing, screening, or treatment of communicable diseases, including COVID-19. In addition, the rule does not restrict access to vaccines for children or adults to prevent vaccine-preventable diseases. Importantly, for purposes of a public charge inadmissibility determination, USCIS considers the receipt of public benefits as only one consideration among a number of factors and considerations in the totality of the alien's circumstances over a period of time with no single factor being outcome determinative. To address the possibility that some aliens impacted by COVID-19 may be hesitant to seek necessary medical treatment or preventive services, USCIS will neither consider testing, treatment, nor preventative care (including vaccines, if a vaccine becomes available) related to COVID-19 as part of a public charge inadmissibility determination, nor as related to the public benefit condition applicable to certain nonimmigrants seeking an extension of stay or change of status, even if such treatment is provided or paid for by one or more public benefits, as defined in the rule (e.g. federally funded Medicaid).

The rule requires USCIS to consider the receipt of certain cash and non-cash public benefits, including those that may be used to obtain testing or treatment for COVID-19 in a public charge inadmissibility determination, and for purposes of a public benefit condition applicable to certain nonimmigrants seeking an extension of stay or change of status. The list of public benefits considered for this purpose includes most forms of federally funded Medicaid (for those over 21), but does not include CHIP, or State, local, or tribal public health care services/assistance that are not funded by federal Medicaid. In addition, if an alien subject to the public charge ground of inadmissibility lives and works in a jurisdiction where disease prevention methods such as social distancing or quarantine are in place, or where the alien's employer, school, or university voluntarily shuts down operations to prevent the spread of COVID-19, the alien may submit a statement with his or her application for adjustment of status to explain how such methods or policies have affected the alien as relevant to the factors USCIS must consider in a public charge inadmissibility determination. For example, if the alien is prevented from working or attending school, and must rely on public benefits for the duration of the COVID-19 outbreak and recovery phase, the alien can provide an explanation and relevant supporting documentation. To the extent relevant and credible, USCIS will take all such evidence into consideration in the totality of the alien's circumstances.

Inadmissibility on Public Charge Grounds Final Rule

On Feb. 24, 2020, USCIS implemented the Inadmissibility on Public Charge Grounds final rule nationwide, including in Illinois. USCIS will apply the final rule to all applications and petitions postmarked (or, if applicable, submitted electronically) on or after that date. For applications and petitions sent by commercial courier (for example, UPS, FedEx, or DHL), the postmark date is the date reflected on the courier receipt. USCIS will reject any affected application or petition that does not adhere to the final

rule, including those submitted by or on behalf of aliens living in Illinois, if postmarked on or after Feb. 24, 2020.

Background

Self-sufficiency has long been a basic principle of U.S. immigration law since our nation's earliest immigration statutes. Since the 1800s, Congress has put into statute that aliens are inadmissible to the United States if they are unable to care for themselves without becoming public charges. Since 1996, federal laws have stated that aliens generally must be self-sufficient. On Aug. 14, 2019, DHS published a final rule regarding how DHS determines if someone applying for admission or adjustment of status is likely at any time to become a public charge.

This final rule also requires aliens seeking to extend their nonimmigrant stay or change their nonimmigrant status to show that, since obtaining the nonimmigrant status they seek to extend to change, they have not received public benefits (as defined in the rule) over the designated threshold.

The Statutory Basis of the Inadmissibility on Public Charge Grounds Final Rule

The primary immigration law today is the Immigration and Nationality Act of 1952 (the INA, or the Act), as amended.

Section 212(a)(4) of the INA (8 U.S.C. § 1182(a)(4)): "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[...] 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"

Section 213 of the INA (8 U.S.C. § 1183): "An alien inadmissible under [section 212(a)(4) of the INA, 8 U.S.C. 1182(a)(4)] may, if otherwise admissible, be admitted in the discretion of the Attorney General (subject to the affidavit of support requirement and attribution of sponsor's income and resources under section 1183a of this title) upon the giving of a suitable and proper bond"

Section 214(a)(1) of the INA (8 U.S.C. § 1184(a)(1)): "The admission to the United States of any alien as a nonimmigrant shall be for such time and under such conditions as the Attorney General may by regulations prescribe, including when he deems necessary the giving of a bond with sufficient surety in such sum and containing such conditions as the Attorney General shall prescribe, to insure that at the expiration of such time or upon failure to maintain the status under which he was admitted, or to maintain any status subsequently acquired under section 1258 of this title, such alien will depart from the United States."

Section 248(a) of the INA (8 U.S.C. § 1258(a)): "The Secretary of Homeland Security may, under such conditions as he may prescribe, authorize a change from any nonimmigrant classification to any other nonimmigrant classification in the case of any alien lawfully admitted to the United States as a nonimmigrant who is continuing to maintain that status and who is not inadmissible under section 1182(a)(9)(B)(i) of this title (or whose inadmissibility under such section is waived under section 1182(a)(9)(B)(v) of this title)"

8 U.S.C. § 1601 (PDF)(1): "Self-sufficiency has been a basic principle of United States immigration law since this country's earliest immigration statutes."

8 U.S.C. § 1601 (PDF)(2)(A): "It continues to be the immigration policy of the United States that – aliens within the Nation's borders not depend on public resources to meet their needs, but rather rely on their own capabilities and the resources of their families, their sponsors, and private organizations."

8 U.S.C. § 1601 (PDF)(2)(B): It is also the immigration policy of the United States that "the availability of public benefits not constitute an incentive for immigration to the United States."

The DHS Inadmissibility on Public Charge Grounds Final Rule

Timeline of the Rule's Implementation

On Aug. 14, 2019, the U.S. Department of Homeland Security (DHS) published the [Inadmissibility on Public Charge Grounds](#) final rule that codifies regulations governing the application of the public charge inadmissibility grounds. See section 212(a)(4) of the INA, 8 U.S.C. 1182(a)(4).

On Oct. 2, 2019, DHS issued a corresponding [correction](#) document, which contains provisions that are effective as if they had been included in the final rule published on Aug. 14, 2019.

On Oct. 10, 2018, DHS issued a [Notice of Proposed Rulemaking](#), which was published in the Federal Register for a 60-day comment period. DHS received and considered over 266,000 public comments before issuing the final rule. The final rule provides summaries and responses to all significant public comments.

The Purpose of the Rule

The final rule enables the federal government to better carry out provisions of U.S. immigration law related to the public charge ground of inadmissibility.

The final rule clarifies the factors considered when determining whether someone is likely at any time in the future to become a public charge, is inadmissible (under section 212(a)(4) of the INA, 8 U.S.C. 1182(a)(4)) and, therefore, ineligible for admission or adjustment of status.

The final rule also requires aliens in the United States who have a nonimmigrant visa and seek to extend their stay in the same nonimmigrant classification or to change their status to a different nonimmigrant classification to demonstrate, as a condition of approval, that they have not received, since obtaining the status they seek to extend or change, public benefits for more than 12 months, in total, within any 36-month period.

The final rule does not create any penalty or disincentive for past, current or future receipt of public benefits by U.S. citizens or aliens whom Congress has exempted from the public charge ground of inadmissibility.

Applicability and Exemptions

The final rule applies to applicants for admission and aliens seeking to adjust their status to that of lawful permanent residents from within the United States. The final rule also applies to applicants for extension of stay and change of status.

The final rule does not apply to:

- U.S. citizens, even if the U.S. citizen is related to a noncitizen who is subject to the public charge ground of inadmissibility; or
- Aliens whom Congress exempted from the public charge ground of inadmissibility, such as:
 - Refugees;
 - Asylees;
 - Afghans and Iraqis with special immigrant visas;
 - Certain nonimmigrant trafficking and crime victims;
 - Individuals applying under the Violence Against Women Act;
 - Special immigrant juveniles; and
 - Those to whom DHS has granted a waiver of public charge inadmissibility.

Public Benefits that DHS Will Not Consider

Benefits received by U.S. service members. Under the final rule, DHS will not consider the receipt of public benefits (as defined in the final rule) by an alien who (at the time of receipt, or at the time of filing or adjudication of the application for admission, adjustment of status, extension of stay, or change of status) is enlisted in the U.S. armed forces, or is serving in active duty or in any of the Ready Reserve components of the U.S. armed forces

Benefits received by spouse and children of U.S. service members. DHS also will not consider the receipt of public benefits by the spouse and children of such service members (described above).

Benefits received by children born to, or adopted by, U.S. citizens living outside the United States. The rule further provides that DHS will not consider public benefits received by children, including adopted children, who will acquire U.S. citizenship under section 320 of the INA, 8 U.S.C. 1431, or children, residing outside the United States, of U.S. citizens who are entering the United States for the purpose of attending an interview under section 322 of the INA, 8 U.S.C. 1433.

Certain Medicaid benefits. DHS will not consider the Medicaid benefits received:

- For the treatment of an “emergency medical condition;”
- As services or benefits provided in connection with the Individuals with Disabilities Education Act;
- As school-based services or benefits provided to individuals who are at or below the oldest age eligible for secondary education as determined under State or local law;
- By aliens under the age of 21; and
- By pregnant women and by women within the 60-day period beginning on the last day of the pregnancy.

Benefits received on behalf of a legal guardian. DHS will only consider public benefits received directly by the applicant for the applicant’s own benefit, or where the applicant is a listed beneficiary of the public benefit. DHS will not consider public benefits received on behalf of another as a legal guardian or pursuant to a power of attorney for such a person. DHS will also not attribute receipt of a public benefit by one or more members of the applicant’s household to the applicant unless the applicant is also a listed beneficiary of the public benefit.

Q. When does the final rule go into effect?

Q. What does the final rule change?

Q. Who is subject to the public charge inadmissibility ground?

Q. Who is exempt from this rule?

Q. Which benefits are considered for the purposes of this rule?

Q. What amount/duration of public benefits matters?

Q. Whose receipt of benefits is considered under this rule?

Q. Which benefits are not considered?

Q. How will DHS determine whether someone is likely at any time to become a public charge for admission or adjustment purposes?

Q. What factors weigh heavily in favor of a determination that someone is likely at any time to become a public charge?

Q. What factors weigh heavily against a determination that someone is likely at any time to become a public charge?

Q. How can I learn more about public charge?

Last Reviewed/Updated: 03/27/2020

EXHIBIT B



**U.S. Citizenship and
Immigration Services**

USCIS Policy Manual

Current as of April 24, 2020

Volume 8 - Admissibility

Part G - Public Charge Ground of Inadmissibility

Chapter 12 - Prospective Immigration Status and Expected Period of Admission

ALERT: This policy guidance applies to all applicants and petitioners as of February 24, 2020. (The Supreme Court of the United States stayed the last nationwide injunction of the Inadmissibility on Public Charge Grounds Final Rule on January 27, 2020 and stayed the statewide injunction in Illinois on February 21, 2020.) Certain classes of aliens are exempt from the public charge ground of inadmissibility (such as refugees, asylees, certain VAWA self-petitioners, U petitioners, and T applicants) and therefore, are not subject to the final rule. For more information about the classes of aliens who are exempt from the Final Rule, click [here](#).

Officers consider the applicant's immigration status and duration of admission sought by the alien, and the classification the alien is seeking, as part of the public charge inadmissibility determination.

A. Standard

USCIS considers the immigration status that the alien seeks and the expected period of admission as it relates to the alien's ability to financially support him or herself during the duration of the alien's stay.^[1] An adjustment of status applicant's prospective immigration status is that of a lawful permanent resident (LPR). The expected period of stay is permanent and is generally considered to be a negative factor. In general, aliens seeking admission as LPRs are more likely to receive public benefits than nonimmigrants because they intend to reside permanently in the United States and LPRs are eligible for more public benefits than nonimmigrants. An applicant may otherwise establish that he or she is not eligible for public benefits because of his or her immigration status or income.^[2]

B. Summary of Immigration Status and Expected Period of Stay

The following table provides a list of positive and negative factors related to the prospective immigration status and expected period of stay.

Applicant's Immigration Status and Expected Period of Admission

Positive Factor	Negative Factor
<ul style="list-style-type: none"> The applicant provides evidence of ineligibility for public benefits based on immigration status or expected period of stay 	<ul style="list-style-type: none"> Evidence that the alien will be in the United States for a long or indefinite period (such as when seeking LPR status) that in conjunction with the alien's insufficient income, assets, and resources may make the alien more likely than not to become a public charge and more likely than not to be eligible for public benefits at any time in the future

C. Evidence

Generally, the alien's prospective immigration status is established through his or her immigration benefit request or application for admission. As a result, there is no additional evidence relating to this factor that an alien must provide.

Footnotes

1. [^] See [8 CFR 212.22\(b\)\(6\)](#).
2. [^] See [8 CFR 212.22\(b\)\(4\)\(ii\)\(E\)\(3\)](#).

Legal Authorities

[10 U.S.C. 504\(b\)](#) - Citizenship or residency

[15 U.S.C. 1681](#) - Congressional findings and statement of purpose

[21 U.S.C. 802](#) - Definitions

[21 U.S.C. 841](#) - Prohibited acts A

[22 CFR 40.51](#) - Labor certification

[29 CFR 570](#) - Child labor regulations, orders and statements of interpretation

[29 U.S.C. 213\(c\)](#) - Child labor requirements

[31 U.S.C. 9304-9308](#) - Sureties and surety bonds

[31 U.S.C. 9305](#) - Authority and revocation of authority of surety corporations

[38 U.S.C 1965](#) - Definitions

[42 CFR 34.4](#) - Medical notifications

[42 U.S.C. 1382c](#) - Definitions

[42 U.S.C. 413](#) - Quarter and quarter of coverage

[42 U.S.C. 416\(l\)](#) - Retirement age

[7 CFR 273](#) - Certification of eligible households

[8 CFR 1.2](#) - Definitions

[8 CFR 1.3](#) - Lawfully present aliens for purposes of applying for Social Security benefits

[8 CFR 1003.14](#) - Jurisdiction and commencement of proceedings

8 CFR 1003.1 - Organization, jurisdiction, and powers of the Board of Immigration Appeals

8 CFR 103.6 - Surety bonds

8 CFR 204.5 - Petitions for employment-based immigrants

8 CFR 212.20-212.23 - Applicability of public charge inadmissibility; Definitions; Public charge determination; Exemptions and waivers for the public charge ground of inadmissibility

8 CFR 212.21(b) - Public Benefits

8 CFR 212.4 - Applications for the exercise of discretion under section 212(d)(1) and 212(d)(3)

8 CFR 213.1 - Admission under bond or cash deposit

8 CFR 213a - Affidavits of support on behalf of immigrants

8 CFR 214.2 - Special requirements for admission, extension, and maintenance of status

8 CFR 214.2 - Special requirements for admission, extension, and maintenance of status

8 CFR 235 - Inspection of persons applying for admission

8 CFR 245.11 - Adjustment of aliens in S nonimmigrant classification

8 CFR 292 - Representation and appearances

8 CFR 293.1 - Computation of interest

8 U.S.C. 1363 - Deposit of and interest on cash received to secure immigration bonds

8 U.S.C. 1601-1646 - Restricting welfare and public benefits for aliens

8 U.S.C. 1611 - Aliens who are not qualified aliens ineligible for Federal public benefits

8 U.S.C. 1612 - Limited eligibility of qualified aliens for certain Federal programs

8 U.S.C. 1613 - Five-year limited eligibility of qualified aliens for Federal means-tested public benefit

8 U.S.C. 1641 - Definitions

Final Specification of Community Programs Necessary For Protection Of Life Or Safety Under Welfare Reform Legislation, 66 FR 3613 (Jan. 16, 2001) (Final rule)

INA 101 - Definitions

INA 101(a)(15) - Nonimmigrant classifications

INA 201 - Worldwide level of immigration

INA 203 - Allocation of immigrant visas

INA 208 - Asylum

INA 212(a)(4) - Public charge

INA 212(d) - Temporary admission of nonimmigrants

INA 213 - Admission of certain aliens on giving bond or undertaking; return upon permanent departure

INA 235 - Inspection by immigration officers; expedited removal of inadmissible arriving aliens; referral for hearing

INA 237(a)(5) - Public charge (deportable aliens)

INA 239, 8 CFR 239 - Initiation of removal proceedings

INA 245(j) - Adjustment to permanent resident status

INA 248, 8 CFR 248 - Change of nonimmigrant classification

INA 289 - Application to American Indians born in Canada

Inadmissibility on Public Charge Grounds, 84 FR 41292 (Aug. 14, 2019) (Final rule)

Pub. L. 104-193 - Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996

Pub. L. 104-208 - Illegal Immigration Reform and Immigrant Responsibility Act of 1996

Pub. L. 106-395 - Child Citizenship Act of 2000

Pub. L. 111-293 - Help Haitian Adoptees Immediately to Integrate Act of 2010

Pub. L. 111-8 - Section 602(b), Title VI of the Afghan Allies Protection Act of 2009

Pub. L. 113-4 - 127 Stat 54 of the Violence Against Women Reauthorization Act of 2013

Pub. L. 89-732 - Cuban Refugees Adjustment of Status

Section 11, 26 Stat 1084 of the Immigration Act of 1891

Section 212(a)(15), 66 Stat 163, 183 of the Immigration and Nationality Act of 1952

Sections 1-2, 22 Stat 214 of the Immigration Act of 1882

Forms

G-28, Notice of Entry of Appearance as Attorney or Accredited RepresentativeI-129CW, Petition for a CNMI-Only Nonimmigrant Transitional WorkerI-130, Petition for Alien RelativeI-134, Affidavit of SupportI-356, Request for Cancellation of the Public Charge BondI-539A, Supplemental Information for Application to Extend/Change Nonimmigrant StatusI-864, Affidavit of Support Under Section 213A of the INAI-864A, Contract Between Sponsor and Household MemberI-864EZ, Affidavit of Support Under Section 213A of the INAI-944, Declaration of Self-SufficiencyI-945, Public Charge Bond

Appendices

Applicability of INA 212(a)(4) to Employment-Based Adjustment of Status Applications

Appendix: Applicability of INA 212(a)(4) to Employment-Based Adjustment of Status Applications

Appendix: Applicability of INA 212(a)(4) to Employment-Based Adjustment of Status Applications

Applicability of INA 212(a)(4) to Family-Based Adjustment of Status Applications

Appendix: Applicability of INA 212(a)(4) to Family-Based Adjustment of Status Applications

Appendix: Applicability of INA 212(a)(4) to Family-Based Adjustment of Status Applications

Applicability of INA 212(a)(4) to Other Applicants

Appendix: Applicability of INA 212(a)(4) to Other Applicants

Appendix: Applicability of INA 212(a)(4) to Other Applicants

Applicability of INA 212(a)(4) to Refugee, Asylee, and Parolee Adjustment of Status Applications

Appendix: Applicability of INA 212(a)(4) to Refugee, Asylee, and Parolee Adjustment of Status Applications

Appendix: Applicability of INA 212(a)(4) to Refugee, Asylee, and Parolee Adjustment of Status

Applications

Applicability of INA 212(a)(4) to Special Immigrant Adjustment of Status Applications

Appendix: Applicability of INA 212(a)(4) to Special Immigrant Adjustment of Status Applications

[Appendix: Applicability of INA 212\(a\)\(4\) to Special Immigrant Adjustment of Status Applications](#)

Eligibility for Public Benefits

Appendix: Eligibility for Public Benefits

[Appendix: Eligibility for Public Benefits](#)

Totality of the Circumstances Framework

Appendix: Totality of the Circumstances Framework

[Appendix: Totality of the Circumstances Framework](#)

POLICY ALERT - Implementation of Guidance on Inadmissibility on Public Charge Grounds

February 24, 2020

This update incorporates into Volumes 2, 8, and 12 policy guidance that U.S. Citizenship and Immigration Services (USCIS) announced February 5, 2020, implementing the Inadmissibility of Public Charge Grounds Final Rule. This guidance is in effect as of February 24, 2020 and applies to all applications and petitions postmarked on or after that date, including in Illinois. (On February 21, 2020, the Supreme Court of the United States stayed the last remaining injunction in the State of Illinois, allowing DHS to implement the final rule nationwide.) Certain classes of aliens are exempt from the public charge ground of inadmissibility (such as refugees, asylees, certain VAWA self-petitioners, U petitioners, and T applicants) and therefore, are not subject to the Final Rule. For more information about the classes of aliens who are exempt from the Final Rule, click [here](#).

[Read More](#)

AFFECTED SECTIONS

[2 USCIS-PM A.4 - Chapter 4 - Extension of Stay and Change of Status](#)

[8 USCIS-PM G - Part G - Public Charge Ground of Inadmissibility](#)

[12 USCIS-PM D.2 - Chapter 2 - Lawful Permanent Resident \(LPR\) Admission for Naturalization](#)

POLICY ALERT - Public Charge Ground of Inadmissibility

February 05, 2020

U.S. Citizenship and Immigration Services (USCIS) is issuing guidance in the USCIS Policy Manual to address the final
<https://www.uscis.gov/policy-manual/volume-8-part-g-chapter-12>

rule on the public charge ground of inadmissibility. This policy guidance is effective on February 24, 2020, and will apply to all applicants and petitioners filing applications and petitions for adjustment of status, extension of stay, and change of status, except for applicants and petitioners in the State of Illinois, whose cases will be adjudicated under prior policy, including the [1999 Interim Field Guidance](#) and [AFM Ch. 61.1](#). For additional information, see [Public Charge Inadmissibility Determinations in Illinois](#). Certain classes of aliens are exempt from the public charge ground of inadmissibility (such as refugees, asylees, certain VAWA self-petitioners, U petitioners, and T applicants) and therefore, are not subject to the Inadmissibility on Public Charge Grounds final rule. For more information about the classes of aliens who are exempt from the final rule, click [here](#).

[Read More](#)

AFFECTED SECTIONS

2 USCIS-PM A.4 - Chapter 4 - Extension of Stay and Change of Status

8 USCIS-PM G - Part G - Public Charge Ground of Inadmissibility

12 USCIS-PM D.2 - Chapter 2 - Lawful Permanent Resident (LPR) Admission for Naturalization

Technical Update - Replacing the Term “Foreign National”

October 08, 2019

This technical update replaces all instances of the term “foreign national” with “alien” throughout the Policy Manual as used to refer to a person who meets the definition provided in INA 101(a)(3) [“any person not a citizen or national of the United States”].

[Read More](#)

AFFECTED SECTIONS

1 USCIS-PM - Volume 1 - General Policies and Procedures

2 USCIS-PM - Volume 2 - Nonimmigrants

6 USCIS-PM - Volume 6 - Immigrants

7 USCIS-PM - Volume 7 - Adjustment of Status

8 USCIS-PM - Volume 8 - Admissibility

9 USCIS-PM - Volume 9 - Waivers and Other Forms of Relief

10 USCIS-PM - Volume 10 - Employment Authorization

11 USCIS-PM - Volume 11 - Travel and Identity Documents

12 USCIS-PM - Volume 12 - Citizenship and Naturalization

Current as of April 24, 2020