Immigration Updates

Sarang Sekhavat
Federal Policy Director
Massachusetts Immigrant and Refugee Advocacy Coalition
What is Public Charge?

• Certain individuals cannot be admitted to the US if they are determined to become a public charge

• Mostly applies to people seeking green cards through a Family-Based petition
Public Charge – Current Definition

An individual who is likely to become primarily dependent on the government for subsistence, as demonstrated by either the receipt of

(1) Public cash assistance for income maintenance, or

(2) Institutionalization for long-term care at government expense
Proposed Changes

• Expand “public charge” to include any benefits for which eligibility is determined by income, resources, or financial need.

• Develop standards for determining deportability due to being a “public charge”
Process and Timeline

USCIS Publishes Proposed Rule

Comment Period 60 Days

USCIS analyzes and responds to comments Many months

Receipt of Benefits Impacts Public Charge

Grace Period 60 Days

USCIS Publishes Final Rule
Request for Evidence (RFE)

• Used when USCIS needs more information to adjudicate an application

• New policy allows officers to reject applications rather than issue an RFE
Notice to Appear (NTA)

• Anyone who is inadmissible
• Anyone who is deportable
• Anytime the denial of an application leaves someone without status
Refugee Caps vs Admissions

Federal Fiscal Year = Oct 1 – Sep 30
Sarang Sekhavat
Federal Policy Director
Massachusetts Immigrant and
Refugee Advocacy Coalition
(617) 350-5480 x212
ssekhavat@miracoalition.org

@MIRACoalition