Policy Update

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Federal Immigration Policy Updates

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Today’s Agenda

- About the Boston Mayor’s Office for Immigrant Advancement
- 2020 Census
- DACA (Deferred Action for Childhood Arrivals)
- Public Charge
- Other Recent Federal Policy Changes
Mission: To strengthen the ability of immigrants and Boston’s diverse cultural and linguistic communities to fully participate in the economic, civic, social, and cultural life of Boston.

Initiatives
- Greater Boston Immigrant Legal Defense Fund
- Vicarious Trauma Project

Immigrant Information Corners

“To Immigrants with Love” Murals and Storytelling

Immigration Legal Clinics

Citizenship Day

Know your Rights Presentations
2020 U.S. Census
2020 U.S. Census

- Count of the total population of the United States every 10 years
- **Citizenship question will NOT be on the census form**
  - BUT there is still concern re: low participation

**Why is it important?**
- Determines where and how federal dollars will be spent
- Determines political representation
- Informs research and planning, including health and public works

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- Undercount results in a lack of resources for a state / county / city to meet the needs of its population
- Has historically undercounted people of color and other minority groups, limiting resources & representation
Deferred Action for Childhood Arrivals (DACA)
Deferred Action for Childhood Arrivals (DACA) - a form of temporary permission to stay in the United States announced on June 15, 2012

- Applies to some people who entered the U.S. as children who do not have immigration status

Some Eligibility Requirements:

- Under 31 years old as of June 15, 2012
- Entered the U.S. before 16th birthday
- Lived continuously in the U.S. since June 15, 2007
- Currently studying, or completion of high school or equivalent (including technical and trade school), or have been honorably discharged from the U.S. Coast Guard or military
Current Status of DACA

- No new DACA applications are being accepted (since September 3, 2017)
- **Those who currently have DACA or previously had DACA can continue to submit DACA renewal applications**
- The U.S. Supreme Court will make a final decision on DACA by June 2020

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Mental Health Resources:

- [https://unitedwedream.org/2017/10/mental-health-toolkit/](https://unitedwedream.org/2017/10/mental-health-toolkit/)
Public Charge
What is “Public Charge?”

- A person who is likely to become primarily dependent on the government for subsistence
- Applied by 3 federal agencies in different ways
- **Changes to DHS Public Charge Rule will go into effect Feb. 24, 2020**
  - Applies to most individuals already present in the U.S. applying for a green card or a visa
- Efforts to minimize the “chilling effect”
  - Unaffected immigrants disenrolling from programs
  - Immigrants disenrolling from unaffected programs
Updated Resource for Public Charge

https://ProtectingImmigrantFamilies.org
PUBLIC CHARGE: DOES THIS APPLY TO ME?
UPDATED JANUARY 2020

Are you and your family members U.S. Citizens?
Public charge does NOT apply to you. You should continue to enroll in programs you are eligible for.

Do you and your family members already have green cards?
Public charge and any charges under new rules will NOT affect you when you renew your green card or apply to become a U.S. Citizen. However, if you plan to leave the country for more than 6 months, it is a good idea to talk with an immigration attorney.

Are you applying for or have one of the following statuses? TPS, U or V Visas, Asylum or Refugee status, or Special immigrant Juvenile Status? The public charge test does NOT apply to all immigrants, including the categories listed here. If you already have or are in the process of applying for one of these immigration statuses, you can continue to use any government programs that you qualify for.

Does your family plan to apply for a green card or visa from inside the United States? The public charge test may apply to you. For those with adjustment interviews in the U.S., only the use of the public programs listed on first page will be considered in the public charge test. Your income, age, health, education, skills, family situation, and sponsor's affidavit of support will also be considered.

Does your family plan to apply for a green card or visa from outside the United States? U.S. consular offices abroad use different rules in making this decision. You should talk with an expert for advice on your case before making any decisions. For free or low-cost options in your area, go to https://www.immigrationadvocates.org/nonprofit/legaldirectory/

FOR MORE RESOURCES GO TO WWW.PROTECTINGIMMIGRANTFAMILIES.ORG
### Benefits Included for Public Charge

- Cash Support for Income Maintenance*
- Non-Emergency Medicaid**
- Supplemental Nutrition Assistance Program (SNAP or Food Stamps)
- Housing Assistance (Public Housing or Section 8 Housing Vouchers and Rental Assistance)

* Included under current policy as well;  
** Exception for coverage of children under 21, pregnant women (including 60 days postpartum)

### Benefits Excluded from Public Charge

ANY benefits not on the included list will not be applied toward the public charge test. Examples include:

- Disaster relief
- Emergency medical assistance
- Entirely state, local or tribal programs (other than cash assistance)
- Benefits received by immigrant’s family members
- CHIP
- Special Supplemental Nutrition for Women Infants and Children (WIC)
- School Breakfast and Lunch
- Energy Assistance (LIHEAP)
- Transportation vouchers or non cash transportation services
- Non-cash TANF benefits
- Tax credits, including the Earned Income Tax Credit and Child Tax Credit
- Advance premium tax credits under the Affordable Care Act
- Pell grants and student loans
- Any other program not listed in the left column
Important Things to Keep in Mind

- **Most immigrants will not be affected**
- Benefits used by family members (e.g. children) will **NOT** count in public charge decisions regarding parents’ status *made in the U.S.*
- **Many public programs are not considered**
- Eligibility for public programs is not affected
- Use of public programs does not automatically make someone a public charge
Other Recent Federal Policy Changes
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● [Muslim] **Travel Bans** - restrictions are in place indefinitely & vary dramatically by country
  ○ *Current*: Iran, Libya, North Korea, Somalia, Syria, Venezuela, Yemen
  ○ *Starting Feb. 21, 2020*: Eritrea, Kyrgyzstan, Myanmar (Burma), Nigeria, Sudan, Tanzania

● **TPS** (Temporary Protected Status)
  ○ *Extensions through Jan. 4, 2021 due to court orders*: El Salvador, Haiti, Honduras, Nepal, Nicaragua, Sudan
  ○ *18-month extensions*: Somalia, South Sudan, Syria, Yemen

● **Increased Border Restrictions**, esp. Asylum Process
Thank You

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