

## Resources

### Implementation of Inadmissibility on Public Grounds Final Rule and New/ Revised Forms

February 6, 2020

U.S. Citizenship and Immigration Services (USCIS) has implemented the Inadmissibility on Public Charge Grounds final rule on Feb. 24, 2020, except in Illinois, where the rule remains enjoined by a federal court as of Jan. 30, 2020. The final rule will apply only to applications and petitions postmarked (or submitted electronically) on or after Feb. 24, 2020.

USCIS has also published several revised forms consistent with the public charge rule. Applicants and petitioners must use new editions of these forms, except in Illinois, as USCIS will reject prior versions of the following forms if they are received on or after Feb. 24, 2020:

- Form I-129, Petition for a Nonimmigrant Worker,
- Form I-129CW, Petition for a CNMI-Only Nonimmigrant Worker,
- Form I-485, Application to Register Permanent Residence or Adjust Status,
- Form I-485 Supplement A, Supplement A to Form I-485, Adjustment of Status Under Section 245(i),
- Form I-485J, Confirmation of Bona Fide Job Offer or Request for Job Portability Under INA Section 204(j),
- Form I-539, Application to Extend/Change Nonimmigrant Status,
- Form I-539A, Supplemental Information for Application to Extend/Change Nonimmigrant Status (PDF),
- Form I-601, Application for Waiver of Grounds of Inadmissibility,
- Form I-864, Affidavit of Support Under Section 213A of the INA,
- Form I-864A, Contract Between Sponsor and Household Member,
- Form I-864EZ, Affidavit of Support Under Section 213A of the INA, and
- Form I-912, Request for Fee Waiver.

USCIS also released the following new forms: Form I-944, Declaration of Self Sufficiency, Form I-945, Public Charge Bond, and Form I-356, Request for Cancellation of Public Charge Bond.

Except in Illinois, applicants for adjustment of status subject to the public charge ground of inadmissibility and the Final Rule will be required to submit Form I-944, Declaration of Self Sufficiency. Certain applicants that USCIS requests to submit a public charge bond will use the new Form I-945, Public Charge Bond, for that purpose, and the new Form I-356, Request for Cancellation of Public Charge Bond, to request cancellation of a public charge bond.

Certain classes of aliens (such as refugees, asylees, petitioners under the federal Violence Against Women Act, and certain T and U visa applicants) are exempt from the public charge ground of inadmissibility and therefore are not subject to the Inadmissibility on Public Charge Grounds final rule.

For more information about this and other immigration issues, please contact the author of this alert, James G. Aldrich, Jr., at [jaldrich@dykema.com](mailto:jaldrich@dykema.com) or 248-203-0583.

Implementation of Inadmissibility on Public Grounds Final Rule and New/Revised Forms (Cont.)

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## **Practice Areas**

Immigration

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