

March 25, 2020



Immigrant Legal Services Center

Hello All,

Below you will find updates and information on the following topics: I. UCIMM's Legal Services During COVID-19; II. COVID-19 and the New Public Charge Rule; III. U.S. Government Immigration Services Closures: USCIS; Immigration Court; ICE/ISAP; Consulates Abroad; IV. Expiring DACA EADs Due to Biometrics Appointment Cancellations; and V. Other Helpful Resources.

I. UCIMM's Legal Services During COVID-19

As a reminder to all, our Center's physical offices are closed at this time. However, we are still working and available remotely via email, phone, Zoom, and Signal. We are available during regular business hours, and can speak with individuals over the phone or video meeting. Students may be comforted to know that our Center already had functioning systems in place for providing remote legal services prior to this national emergency, and our staff is experienced in guiding students through the process.

II. COVID-19 and the New Public Charge Rule

[USCIS has announced](#) that immigrants can seek testing, treatment, and prevention of COVID-19 without fearing immigration consequences due to public charge. The public charge regulations from the Department of Homeland Security & Department of State went into effect on Monday, February 24, 2020.

*For more info on public charge, please see email attachments: **UCIMM's Public Charge FAQ infographic**, and Western Center on Law & Poverty's guide on Public Charge and Health Insurance in California. Also visit Protecting Immigrant Families' [Know Your Rights page](#).*

In addition, the National Immigrant Law Center (NILC) has posted a [helpful update](#) with reminders about access to health care for immigrants and their family members, and information about new funding that Congress recently made available for coronavirus testing--through the Families First Coronavirus Response Act.

*On a related note, **unemployment benefits** are not included in the definition of public charge under the new rule because they are considered "earned benefits through the person's*

employment and specific tax deductions." It is important to remember that virtually anything can be taken into consideration for the "totality of the circumstances" determination of whether a person is likely to become a public charge, however, unemployment benefits are not in the designated "negative" category.

III. U.S. Government Immigration Services Closures: USCIS; Immigration Court; ICE/ISAP; Consulates Abroad

- **United States Citizenship and Immigration Services (USCIS):** As of March 18, [USCIS](#) has suspended routine in-person services until at least April 1. USCIS staff will continue to perform duties that do not involve contact with the public. USCIS will provide emergency services for limited situations. To schedule an emergency appointment contact the [USCIS Contact Center](#).

Once USCIS resumes normal operations, USCIS will automatically reschedule Application Support Center (ASC) appointments--i.e., biometrics appointments. Individuals will receive a new appointment letter in the mail.

Individuals who had InfoPass or other appointments at the field office must reschedule through the USCIS Contact Center, once field offices reopen to the public. Individuals may check the USCIS [Field Offices page](#) to see if their field office has reopened before reaching out to the USCIS Contact Center.

USCIS domestic field offices will send notices to applicants and petitioners with scheduled appointments and naturalization ceremonies impacted by this closure. USCIS asylum offices will send interview cancellation notices and automatically reschedule asylum interviews.

- **Immigration Court:** The Executive Office for Immigration Review ([EOIR](#)) has set up a [page](#) that provides EOIR operational status updates during COVID-19. In general, EOIR is currently only conducting court hearings for detained individuals.
- **ICE / ISAP Check-Ins:** Per [ICE guidance](#), individuals with Immigration and Customs Enforcement (ICE) / Intensive Supervision of Appearance Program (ISAP) scheduled in-person check-ins should contact their local field office for additional guidance prior to their scheduled appointment.
- **U.S. Consulates / Embassies Abroad:** The U.S. Department of State has [announced](#) that embassies and consulates have canceled all routine immigrant and nonimmigrant visa appointments as of March 20, 2020 until further notice. This includes consular processing, i.e., greencard interviews abroad. As resources allow, embassies and consulates will continue to provide emergency and mission critical visa services.

IV. Expiring DACA EADs Due to Biometrics Appointment Cancellations

At this time, USCIS has not announced any guidance on the problem of expiring DACA EADs due to biometrics appointment cancellations. Immigration advocates recognize the urgency surrounding lapse in work authorization, and are working to get answers from USCIS. We will follow up on this issue once updates are received.

Presently, [USCIS does maintain a policy](#) that allows some employees to temporarily present a "receipt," i.e., USCIS receipt notice, in place of a renewed Employment Authorization Document for purposes of completing the I-9 reverification.

V. Other Helpful Resources

- California Immigrant Youth Justice Alliance's (CIYJA) [COVID-19 Resources for Undocumented Californians](#).
- California Rural Legal Assistance Foundation's (CRLAF) [Coronavirus \(COVID-19\) Pandemic: Information and Resources for Immigrant Communities](#).
- Immigrants Rising's [Tangible Support for Undocumented Communities During COVID-19](#)
- Legal Aid At Work's [Coronavirus FAQs](#)

As always, please do not hesitate to reach out with any questions.

*Thank you,
The UC Immigrant Legal Services Center team*