

TABLE OF CHANGES – INSTRUCTIONS
Form I-539, Application to Extend/Change Nonimmigrant Status
OMB Number: 1615-0003
09/02/2020

Reason for Revision: Public Charge Injunction

Project Phase:

Legend for Proposed Text:

- Black font = Current text
- **Red font** = Changes

Expires 10/31/2021

Edition Date 06/09/2020

Current Page Number and Section	Current Text	Proposed Text
<p>Page 1-14,</p> <p>Who May File Form I-539?</p>	<p>[Page 1]</p> <p>Who May File Form I-539?</p> <p>...</p> <p>[Page 2]</p> <p>Part 5. Public Benefits</p>	<p>[Page 1]</p> <p>Who May File Form I-539?</p> <p>...</p> <p>[Page 2]</p> <p>Part 5. Public Benefits</p> <p>On July 29, 2020, the U.S. District Court for the Southern District of New York (SDNY) in <i>State of New York, et al. v. DHS, et al. and Make the Road NY et al. v. Cuccinelli, et al.</i> enjoined the Department of Homeland Security (DHS) from enforcing, applying, implementing, or treating as effective the Inadmissibility on Public Charge Grounds Final Rule (“Public Charge Final Rule”) for any period during which there is a declared national health emergency in response to the COVID-19 outbreak. (84 FR 41292, Aug. 14, 2019, final rule; as amended by 84 FR 52357, Oct. 2, 2019, final rule correction). Subsequently, on August 12, 2020, the U.S. Court of Appeals for the Second Circuit, in <i>State of New York, et al. v. DHS, et al. and Make the Road NY et al. v. Cuccinelli</i>, granted an administrative stay of the July 29, 2020 nationwide injunction in all states outside of the Second Circuit, i.e. all states except New York, Connecticut, and Vermont. This stay allows DHS to continue</p>

	<p>In general, as a condition on the approval of this application, you must demonstrate that you have not received since obtaining the nonimmigrant status you seek to extend or from which you seek to change, one or more public benefits set forth in 8 CFR 212.21(b) (and listed below) for more than 12 months within any 36 month period (such that, for instance, receipt of two benefits in one month counts as two months).</p>	<p>implementing the Public Charge Final Rule everywhere except in New York, Connecticut, and Vermont.</p> <p>During the injunction, applicants requesting an extension of stay or change of status using Form I-539 who physically reside in New York, Connecticut, or Vermont, should not provide information requested in Part 5. Public Benefits.</p> <p>In general, as a condition on the approval of this application, you must demonstrate that you have not received since obtaining the nonimmigrant status you seek to extend or from which you seek to change, one or more public benefits set forth in 8 CFR 212.21(b) (and listed below) for more than 12 months within any 36 month period (such that, for instance, receipt of two benefits in one month counts as two months).</p>
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