

USCIS Affidavit of Support Proposed Rule Change
Email updates sent to the CIMH Listserv
October 2020

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The CIMH Policy Workgroup would like to update you on the USCIS proposed rule affecting sponsor requirements. We provide a breakdown of key points below. For more details, also see the attached summary provided by ICIRR.

OVERVIEW: This proposed rule will impose significant barriers for U.S Citizens, Legal Permanent Residents, and U.S Nationals who are hoping to sponsor a loved one as a green card applicant, placing stricter financial requirements when filing the I-864 Affidavit of Support. As part of the proposed rule sponsors will be:

- Required to submit the past three years tax returns
- Provide a credit report and credit score history
- WILL NOT BE ABLE to use **any** federal means-tested public benefits for the past three years; if they have, they must secure a co-sponsor who meets all other requirements and has NOT used federal means-tested public benefits in the past 3 years.
- Limited to only including their income and their spouse's income (and intending green card applicant) for sponsorship purposes

IMPACT: This rule is another attack on legal immigration, and one that could have drastic chilling effects on U.S Citizens and Legal Permanent Residents who will forgo public benefits for fear of immigration consequences for their loved ones.

- This proposed rule will have an especially detrimental effect on sponsors who have already been economically impacted by the COVID-19 pandemic, and, who due to immediate and extraordinary circumstances, lost their income or needed to use their entitled public benefits during a global and unforeseen crisis.
- It is important to have immigrant-serving organizations and entities submit public comments about the specific burden that this rule places, not only on prospective sponsors, but on your organizations who will have to do work to mitigate the chilling effects of this rule, prepare prospective sponsors and diverge funds to provide education on this rule.

TAKE ACTION: The public comment period opened October 2 and will only remain open for 30 days. This means that **all** public comments must be submitted by November 2. To read the rule and submit comments, please visit: <https://www.federalregister.gov/documents/2020/10/02/2020-21504/affidavit-of-support-on-behalf-of-immigrants>

We will send out more information as it becomes available. A comment template is expected to be released by PIF national this week. At that time, we will also distribute a brief overview of the federal rulemaking process with tips on how to submit public comments, prepared for you by the CIMH Policy Workgroup.

Sent 10/30/2020

This is a friendly reminder that DHS' **deadline for submitting public comments opposing the [USCIS Affidavit of Support Proposed Rule](#) is quickly approaching--this upcoming Monday, November 2!** The proposed rule aims to radically restrict eligibility to sponsor an immigrant relative, including wealth test elements like those imposed by the public charge regulation. **Please find the template public comment created by ICIRR attached.**

This rule, if implemented:

- would require individuals sponsoring their family members to report public benefit use, and force recipients of federally means-tested benefits to find a co-sponsor who has never received federally means-tested public benefits- this includes CHIP, SNAP, Medicaid, SSI and TANF;
- mandate sponsors to provide three years, rather than one year, of tax returns;
- mandate sponsors to provide credit report and score;
- limit income to only include the sponsor and their spouse (and intending green card applicant) for sponsorship purposes

Please see **attached** a brief overview of the rule created by ICIRR and the CIMH Policy Workgroup's "Advocacy in Action: The Federal Rulemaking Process and how to submit public comments" to help guide your personalized public comment.

Stand up against this discriminatory rule by submitting a public comment!

Please feel free to reach out if you have any questions.

*this email was sent with the regulatory process overview and tip sheet created the Policy & Advocacy Workgroup