

**From:** U.S. Citizenship and Immigration Services <uscis@public.govdelivery.com>  
**Sent:** Friday, March 19, 2021 4:21 PM  
**To:**  
**Subject:** USCIS Implements Decision Vacating Public Charge Final Rule



## USCIS Implements Decision Vacating Public Charge Final Rule

U.S. Citizenship and Immigration Services stopped applying the Public Charge Final Rule to all pending applications and petitions on March 9, 2021. We have posted new versions of affected forms. You must file the 3/10/21 edition of these forms for any future applications.

USCIS has posted new versions, edition date 3/10/21, of the following forms:

- [I-864](#), [I-864A](#), [I-864EZ](#), [I-864W](#)
- [I-539](#), [I-539A](#)
- [I-129CW](#), [I-129CWR](#)

- [I-129](#)
- [I-485](#), [I-485A](#), [I-485J](#)
- [I-912](#)

Starting April 19, 2021, we will only accept the 03/10/21 edition. Until then, you can use the previous edition still available online.

### Background

On Nov. 2, 2020, the U.S. District Court for the Northern District of Illinois vacated the Inadmissibility on Public Charge Grounds final rule nationwide. The government appealed that decision to the U.S. Court of Appeals for the Seventh Circuit, which stayed the vacatur decision. On March 9, 2021, the government dismissed the Seventh Circuit appeal and the U.S. District Court for the Northern District of Illinois' order vacating the Public Charge Final Rule went into effect.

In light of the decision vacating the Public Charge Final Rule, USCIS immediately stopped applying the Public Charge Final Rule to all pending applications and petitions that would have been subject to that rule.

### Current Status

USCIS is applying the [1999 Interim Field Guidance](#) to the adjudication of any application for adjustment of status that was pending or received on or after March 9, 2021. The 1999 guidance was in place before the Public Charge Final Rule was implemented. In addition, USCIS will no longer apply the separate, but related, "public benefits condition" to applications and petitions for extension of nonimmigrant stay and change of nonimmigrant status.

For more information on Requests for Evidence or Notices of Intent to Deny related to the Public Charge Final Rule, see our [public charge webpage](#).

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Kind regards,

Public Engagement Division  
U.S. Citizenship and Immigration Services



### Upcoming Engagements

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### Information

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