1. **What does immigration enforcement look like during the pandemic? Is ICE currently arresting and detaining people during COVID-19?** U.S. Immigration and Customs Enforcement ("ICE") announced that it will temporarily scale back immigration enforcement because of COVID-19. It will focus only on individuals who are “public safety risks” and who are subject to mandatory detention on criminal grounds.

2. **Can I seek medical attention? Will ICE conduct immigration enforcement at schools, food banks or medical facilities?** Yes. ICE has published a statement after the pandemic explaining that “individuals should not avoid seeking medical care because they fear civil immigration enforcement.” ICE has also published a list of “sensitive locations,” including medical treatment and health care facilities, where it generally will not conduct enforcement operations.

3. **Can I still submit my immigration application or petition?** Yes, you can still file your application or petition by mail or online.

### H-2 Visa Program Updates for Food System Workers

3. **I am an agricultural worker on an H-2A visa. What updates have been made to the H-2A visa program?** The administration has made several changes to the H-2A program to provide more flexibility to H-2A employers. Under a new temporary rule, H-2A visa holders currently in the United States may be able to start working for a new employer once USCIS receives the H-2A petition from that employer. The new rule also allows certain H-2A workers to extend their stay in the United States beyond the three-year limitation.

4. **I am a non-agricultural worker on a H-2B visa. What updates have been made to the H-2B visa program?** The administration has made several changes to the H-2B program to provide more flexibility to H-2B employers. Under a new temporary rule, H-2B visa holders currently in the United States and essential to the food supply chain may be able to start working for a new employer while the employer’s H-2B petition on behalf of that visa holder is pending before USCIS. The new rule also allows certain H-2B visa holders to extend their stay in the United States beyond the three-year limitation.

### “Public Charge” Rule

5. **What is the “Public Charge” rule?** The “public charge” rule largely affects those seeking admission as a lawful permanent resident (green card). When deciding whether a noncitizen is a “public charge,” the government will consider certain public benefits, such as certain housing and nutrition programs, including federally funded Medicaid, SNAP benefits (formerly known as food stamps), and Section 8 housing benefits.

In light of COVID-19, the USCIS announced that COVID-19 testing and treatment will not be considered for the “public charge” rule.

Stimulus checks are not considered a “public benefit” under the “public charge” rule because they are a tax credit.

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