

Mark R. Warner

US Senator from the Commonwealth of Virginia

COVID-19 Resources for Immigrants

There are several programs and relief initiatives in the American Rescue Plan (ARP) Act. This guide can serve as a starting point to guide you in the right direction.

Stimulus Checks

The American Rescue Plan provides direct payments of \$1,400 per-person. The amount of the payments will be reduced for those with higher incomes. For individuals filing taxes as singles, the reduced amount begins at an adjusted gross income (AGI) of \$75,000 per year and is completely phased out at \$80,000. For joint filers, the reduced amount begins at \$150,000 and payment is eliminated at \$160,000.

What groups are excluded from receiving stimulus checks?

The rebate is not available to “nonresident alien individuals,” which describes immigrants who are not U.S. citizens and cannot establish substantial presence in the U.S. Substantial presence is determined by whether one files their taxes with a Social Security Number (SSN). Unlike the CARES Act, which passed in March, 2020, and excluded mixed immigration status families that include U.S. citizen children and spouses, the American Rescue Plan includes these citizen spouses and children of undocumented individuals.

Mixed immigration status families are now included in the second round of stimulus payments and should receive a tax credit for the payment for which they were not eligible last year. At least one parent must have a work-eligible Social Security number to qualify.

Will DACA and TPS recipients qualify for the stimulus checks?

Stimulus checks will be available to DACA and TPS recipients (and other similarly situated immigrants) who can establish that they meet certain IRS requirements showing substantial presence in the U.S. for tax purposes.

What if I am not required to file taxes?

Individuals with little or no taxable income will be able to file a tax return for the 2020 tax year, through the IRS free file program, to receive their payment.

How will I receive my stimulus check?

If you have already filed a 2019 or 2020 tax return, the IRS will use the direct deposit information on your return to send your payment to your bank account. If you don't provide the IRS with your direct deposit details, then the IRS will mail either a check or

prepaid debit card to you. Rebates sent via check or prepaid debit card may take up to a few weeks.

If you did not receive a previous stimulus check (from either the March or December 2020 packages) to which you were entitled, you should claim the check as part of your 2020 tax return.

Unemployment Assistance

The American Rescue Plan Act extends eligibility for programs created in previous COVID-relief legislation, including the Pandemic Unemployment Assistance Program, the Pandemic Emergency Unemployment Compensation Program, and the Mixed Earners Unemployment Compensation Program. The ARP also expands the existing Unemployment Insurance program to provide further financial support in the form of adding an additional \$300 to every weekly unemployment benefit through September 6, 2021.

How has Unemployment Assistance changed?

As a continuation of prior relief packages, unemployment assistance now includes part-time, self-employed, contractors, and gig workers. Eligibility lasts through September 6, 2021 if unemployment is related to the coronavirus.

Where can I apply?

To check if you are eligible for unemployment insurance and the new Pandemic Unemployment Assistance Program, visit: <http://www.vec.virginia.gov/unemployed>, or contact the Virginia Employment Commission by phone at: 1-866-832-2363.

Do all unemployed workers qualify for Pandemic Unemployment Assistance?

No. “Non-resident aliens” (noncitizens who do not have green cards and have not been physically present here long enough to establish “substantial presence”) are excluded from unemployment insurance. Noncitizens who are not authorized to work and families with members who use Individual Tax Identification Numbers (ITINs) are not eligible. There is a limited exception for military families if at least one spouse has a valid SSN.

Access to Immigration Services

Are USCIS offices open?

U.S. Citizenship and Immigration Services (USCIS) has resumed non-emergency in-person services at all field and asylum offices. USCIS has outlined a number of precautions to mitigate the spread of COVID-19 that it asks visitors to take prior to

entering a USCIS facility. You may find those precautions and additional updates at this site: <https://www.uscis.gov/about-us/uscis-response-to-covid-19>.

What if my appointment with USCIS was cancelled due to COVID-19 related closures?

Field Offices: USCIS field offices will send notices to applicants and petitioners with previously scheduled appointments for interviews and naturalization ceremonies. You may experience extended wait times as USCIS transitions back towards in-person services. Visitors are also limited to the applicant, one attorney, and one individual providing disability assistance. If you need to schedule an emergency document service, please contact the [USCIS Contact Center](#).

Application Support Center (ASC): USCIS will automatically reschedule any necessary Immigration and Customs Enforcement (ICE) appointments that were canceled due to the temporary office closures, or send notifications of biometrics reuse to eligible individuals. If you have not received an appointment notice or notification of biometrics reuse by mail within 90 days of cancellation, please call 800-375-5283 or 1-800-767-1833 (for individuals who are deaf, hard of hearing or speech-impaired).

Asylum Offices: USCIS asylum offices will automatically reschedule asylum interviews that were canceled during the temporary closures. When USCIS reschedules the interview, asylum applicants will receive a new interview notice with the new time, date and location of the interview, as well as additional information on COVID-19 safety precautions.

Immigration and Customs Enforcement (ICE)

I have a scheduled ICE check-in and tried calling my local field office but no one answered, what should I do?

Contact the [local ICE field office](#) by phone for further instructions. If you missed your scheduled ICE check-in, you need to ensure that you make contact with ICE.

Is immigration court still taking place in-person at ICE detention facilities?

Individuals attending immigration court in-person are encouraged to contact the Executive Office for Immigration Review (EOIR) for any additional requirements or changes to procedures. Please check EOIR's [operational status page](#) for the latest operational status of immigration courts nationwide.

Can I visit my family at ICE detention facilities?

ICE recognizes the considerable impact of suspending personal visitation and has requested wardens and facility administrators maximize detainee use of

teleconferencing, video visitation (e.g., Skype, FaceTime), email, and/or tablets, with extended hours where possible. ICE will continue to collaborate with the CDC, IHSC, and its network of health care providers to provide updates and revise procedures as necessary.

Additional Assistance

Senator Warner's office stands ready to assist with any coronavirus and non-coronavirus federal issues. **If you or a loved one is currently experiencing an issue with a federal agency**, please contact Senator Warner's office by calling: (202) 224-2023 or visiting: <https://www.warner.senate.gov/>.