



U.S. Citizenship and Immigration Services

USCIS to Continue Implementing New Policy Memorandum on Notices to Appear

U.S. Citizenship and Immigration Services (USCIS) is continuing to implement the June 28, 2018, Policy Memorandum (PM), [Updated Guidance for the Referral of Cases and Issuance of Notices to Appear \(NTAs\) in Cases Involving Inadmissible and Deportable Aliens \(PDF, 140 KB\)](#).

Starting Nov. 19, 2018, USCIS may issue NTAs as described below based on denials of [I-914/I-914A, Applications for T Nonimmigrant Status](#), and petitions for Forms [I-918/I-918A, Petitions for U Nonimmigrant Status](#); [I-360 Petition for Amerasian, Widow\(er\)](#); [I-929, Petition for Qualifying Family Member of a U-1 Nonimmigrant, Special Immigrant](#) (Violence Against Women Act self-petitions and Special Immigrant Juvenile petitions); and [I-730 Refugee/Asylee Relative Petition](#), when the beneficiary is present in the US, as well as Form [I-485, Application to Register Permanent Residence or Adjustment of Status](#), filed with these underlying form types.

If applicants, beneficiaries, or self-petitioners who are denied are no longer in a period of authorized stay and do not depart the United States, USCIS may issue an NTA. USCIS will continue to send denial letters for these applications and petitions to ensure adequate notice regarding period of authorized stay, checking travel compliance, or validating departure from the United States.

USCIS began implementing the PM for [denied Forms I-485 and I-539](#) on Oct. 1, 2018. USCIS will not implement the memorandum with respect to employment-based petitions at this time. Existing guidance for these case types remain in effect.

USCIS will continue to prioritize cases of individuals with criminal records, fraud, or national security concerns for referral for removal proceedings. USCIS has not changed to the current processes for issuing NTAs on these case types, and the agency will continue to use discretion in issuing NTAs for these cases.

USCIS will hold a stakeholder engagement on Nov. 15, 2018, at 2 p.m. Eastern to provide an overview of the PM and respond to pre-submitted questions. The teleconference will include a question and answer session, as time permits. Additional information is available on the [Upcoming National Engagements](#) page of our website. [A transcript of the Sep. 27, 2018, public USCIS teleconference on NTA implementation \(PDF, 3.52 MB\)](#) is available on our website.

USCIS will continue to take an incremental approach to implement this memorandum. Additional information and updates on the implementation of this PM are available on the [Notice to Appear Policy Memorandum page](#).

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