



IMMIGRATION INSIDER

Vol. 15, No. 9D • September 22, 2019

Headlines:

Visa Bulletin Reflects Substantial Forward Movement; USCIS Instructs Employment-Based Beneficiaries to Use 'Dates for Filing' in October – The Department of State's Visa Bulletin for October 2019 reflects substantial forward movement. Also, beneficiaries of employment-based immigrant petitions should use the "Dates for Filing" rather than the "Final Action Dates," or priority dates, when filing during October 2019.

USCIS Reminds Employers: Only Unrestricted Social Security Cards Are Acceptable for I-9 Purposes – USCIS has reminded employers that they may accept only unrestricted Social Security cards for I-9 verification purposes, and has updated the form accordingly.

DHS Reverses Medical Deferred Action Cancellation, Will Consider Case-by-Case – After initially sending out letters canceling noncitizen recipients' deferred action status based on medical reasons, and ordering them to leave the country, and then allowing pending applications to continue but not accepting new applications, the Department of Homeland Security has announced that it will resume considering such applications on a case-by-case basis. The policy garnered significant media attention, particularly relating to children, and was the subject of a recent congressional hearing.

Also in this issue:

[New Publications and Items of Interest](#)
[Member News](#)
[Government Agency Links](#)

[Back to Top](#)

Visa Bulletin Reflects Substantial Forward Movement; USCIS Instructs Employment-Based Beneficiaries to Use 'Dates for Filing' in October

The Department of State's Visa Bulletin for the month of October 2019 reflects substantial forward movement as anticipated with the beginning of the federal fiscal year on October 1, 2019. Specifically, only the EB-1 preference category as well as India and China-born applicants remain backlogged for the dates that U.S. Citizenship and Immigration Services (USCIS) will accept applications during the month of October 2019.

In a departure from recent months, USCIS also confirmed on its website that beneficiaries of employment-based immigrant petitions should use the "Dates for Filing" rather than the "Final Action Dates," or priority dates, when filing during the month of October 2019. In the recent past, USCIS had generally required employment-based immigrant visa applications to be filed based on the Final Action Dates, which were typically later than the Dates for Filing.

Although USCIS will accept applications during the month of October, an applicant's Final Action Dates, or priority dates, must become Current before USCIS may approve the case.

Beneficiaries of employment-based immigrant petitions who may become eligible to file adjustment of status applications in October may want to start preparation of these applications as soon as possible with their Alliance of Business Immigration Lawyers attorney to plan for the earliest possible filing date in the month of October.

Details: Visa Bulletin for October 2019, <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin/2020/visa-bulletin-for-october-2019.html>; USCIS notice regarding the use of Dates for Filing for October 2019, <https://bit.ly/2krYydZ>

[Back to Top](#)

USCIS Reminds Employers: Only Unrestricted Social Security Cards Are Acceptable for I-9 Purposes

U.S. Citizenship and Immigration Services (USCIS) has reminded employers that they may accept only unrestricted Social Security cards for Form I-9 employment authorization verification purposes, and has updated the I-9 form accordingly.

If the Social Security card has one of the following restrictions, USCIS said the employer should ask the employee to provide a different document showing work authorization:

- Not valid for employment
- Valid for work only with INS authorization
- Valid for work only with DHS authorization

Details: E-Verify reminder about unrestricted Social Security numbers and cards, <https://content.govdelivery.com/accounts/USDHSCISEVERIFY/bulletins/25fee53>

[Back to Top](#)

DHS Reverses Medical Deferred Action Cancellation, Will Consider Case-by-Case

After initially sending out letters canceling noncitizen recipients' deferred action status based on medical reasons, and ordering them to leave the country, and then allowing pending applications to continue but not accepting new applications, the Department of Homeland Security has announced that it will resume considering such applications on a case-by-case basis. The policy garnered significant media attention, particularly relating to children, and was the subject of a recent congressional hearing.

According to reports, Acting Homeland Security Secretary Kevin McAleenan made the decision, which followed dramatic testimony at a hearing before the House of Representatives' Oversight Committee from several affected immigrants who said they expected to die without the treatment they can get only in the United States.

Details:

- News reports, <https://www.goodmorningamerica.com/amp/news/story/trump-admin-reverses-decision-deny-immigrants-access-medical-65731377>, <https://www.nationalreview.com/news/dhs-backs-off-plan-to-halt-medical-deportation-relief/>, <https://www.politico.com/story/2019/09/19/dhs-halt-medical-deportation-relief-1755951>
- House Oversight Committee hearing video, https://www.youtube.com/watch?v=v8UMgRh_xxE

[Back to Top](#)

New Publications and Items of Interest

How to prepare for immigration raids. Cornell University's immigration technology clinic has developed an automated online interview to help people prepare if they or others are worried about being detained or deported. It can help people prepare their family, manage their property, close out their bank accounts, and perform other emergency preparations. The online interview is available in English and Spanish at https://www.immi.org/en/Home/make_a_plan.

Responding to large-scale immigration raids. The Immigration Justice Campaign and the American Immigration Lawyers Association have released information on what to do in the event of large-scale interior enforcement actions. See <https://www.immigrationjustice.us/volunteeropportunities/raids-preparation-teams> and <https://www.aila.org/advo-media/issues/all/featured-issue-2019-large-scale-enforcement>.

CBP accountability. A new website documents litigation across the United States in an effort to establish U.S. Customs and Border Protection (CBP) accountability and transparency. The website, which also directs readers to additional resources, is a joint project of the American Civil Liberties Union of San Diego and Imperial Counties, the American Immigration Council, the National Immigration Project of the National Lawyers Guild, and the Northwest Immigrant Rights Project. See <https://holdcbpaccountable.org/>.

Immigrant and Employee Rights webinars. The Department of Justice's Immigrant and Employee Rights Section is offering free webinars to the public. The webinars are for workers, employers, and advocates. For more information or to register, see <https://www.justice.gov/crt/webinars>.

Alliance of Business Immigration Lawyers:

- ABIL is available on Twitter: [@ABILImmigration](#)
- Recent ABIL member blogs are at <http://www.abilblog.com/>

Organizations providing help at the southern border and seeking non-lawyer and lawyer volunteers. Cornell Law School's Migration and Human Rights Program has compiled a list of organizations providing help at the southern border, and seeking donations and non-lawyer and lawyer volunteers to help migrants in U.S. detention and deportation proceedings. The list, which is updated on an ongoing basis, is at <http://www.lawschool.cornell.edu/MigrationandHumanRightsProgram/Organizations-seeking-non-lawyer-and-lawyer-volunteers.cfm>.

Nation of immigrants. Podcasts on U.S. immigration history and what it means to be an immigrant in America:

- Statutes of Liberty: <http://bit.ly/2thMM9O> (new episodes: A Prescription for Success: EB-1 for Physicians, <https://bit.ly/2J7oSjV>; The Best, Brightest, and Backlogged, discusses the backlog, who it affects, how to read the Visa Bulletin, and strategies for EB-1 visas, <https://bit.ly/2E6vamz>)
- Code Switch Podcast: What Does It Mean To Be A 'Nation of Immigrants'? <http://n.pr/2FeWWg4>
- Hidden Brain: The Huddled Masses and the Myth of America: <http://n.pr/2Fbo9kC>
- American Pendulum I: <http://bit.ly/2FbYKY3>

Advisories and tips:

- Community Advisory: Social Media, Criminalization, and Immigration has been published by the National Lawyers Guild's National Immigration Project. This advisory summarizes ways in which immigration agents may use social media against those in removal proceedings or involved in criminal cases. The advisory is at https://www.nationalimmigrationproject.org/PDFs/community/2017_03Apr_comm-adv-social.pdf.
- How to safeguard your data from searches at the border is the topic of several recent articles and blogs. See, for example, <https://www.nytimes.com/2017/03/21/technology/personaltech/crossing-the-border-heres-how-to-safeguard-your-data-from-searches.html> and <https://www.aclu.org/blog/free-future/can-border-agents-search-your-electronic-devices-its-complicated>.
- Listings and links to cases challenging executive orders, and related available pleadings, are available at <https://lawfareblog.com/litigation-documents-resources-related-trump-executive-order-immigration>.

[Back to Top](#)

ABIL Member/Firm News

Joseph Law Firm, P.C. has a new partner and a new name. It is now **Joseph & Hall P.C.** See <https://www.immigrationissues.com/>.

[Back to Top](#)

Government Agency Links

Follow these links to access current processing times of the USCIS Service Centers and the Department of Labor, and the Department of State's latest Visa Bulletin with the most recent cut-off dates for visa numbers:

USCIS Service Center processing times online:
<https://egov.uscis.gov/cris/processTimesDisplay.do>

Department of State Visa Bulletin: <https://travel.state.gov/content/visas/en/law-and-policy/bulletin.html>

Visa application wait times for any post:

<https://travel.state.gov/content/visas/en/general/wait-times.html/>

[Back to Top](#)

About ABIL

The Alliance of Business Immigration Lawyers (ABIL) offers a single point of contact for customer needs, news alerts, staff training, and other programs that benefit clients through the collaboration of more than 370 member lawyers and their more than 800 staff. Corporate counsel, human resource professionals, in-house immigration managers, and other corporate decision-makers turn to ABIL lawyers for outstanding legal skills and services. ABIL's work also includes advocating for enlightened immigration reform, providing speakers and media sources, presenting conferences, publishing books and articles on cutting-edge immigration topics, and sharing best practices, all with the ultimate goal of offering value-added services to business immigration clients.

The Alliance of Business Immigration Lawyers' website is at <http://www.abil.com/>. ABIL is also on Twitter: [@ABILImmigration](#).

Disclaimer/Reminder

This email does not constitute direct legal advice and is for informational purposes only. The information provided should never replace informed counsel when specific immigration-related guidance is needed.

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[Back to Top](#)