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travel subsistence meal reimbursement a worker with receipts may claim under the H-2A and H-2B programs, and reminded employers of their obligations concerning overnight lodging costs as part of required subsistence.

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FY 2025 H-1B Cap Registration Period Opens Soon; USCIS Issues Reminders for Employers About Online Filing, Other New Requirements for Cap and Non-Cap Petitions

U.S. Citizenship and Immigration Services (USCIS) reminded employers that the initial registration period for the FY 2025 H-1B cap season will open at noon ET on March 6, 2024, and run through noon ET on March 22, 2024. A USCIS online account is required to register each beneficiary electronically for the selection process and pay the associated \$10 registration fee. USCIS also announced:

- Starting with the FY 2025 initial registration period, USCIS will require registrants to provide valid passport information or valid travel document information for each beneficiary. The passport or travel document provided must be the one the beneficiary, if or when abroad, intends to use to enter the United States if issued an H-1B visa. Each beneficiary must only be registered under one passport or travel document.
- On February 28, 2024, USCIS [launched](#) new myUSCIS organizational accounts to allow multiple people within an organization, as well as their legal representatives, to collaborate on and prepare H-1B registrations, H-1B petitions, and any associated Form I-907, Request for Premium Processing Service. A new organizational account is required to participate in the [H-1B Electronic Registration Process](#) as of March 2024.
- In response to reports from practitioners about problems with setting up myUSCIS accounts, USCIS said:

We are working expeditiously to address any technical issues that may arise for legal representatives whose accounts migrated when they logged into their online account on or after Feb. 14, 2024, including impacts on cases other than H-1B filings. If you previously experienced issues upon logging in to your online account after migration, please log back in to see if your issues have been resolved by our ongoing technical fixes. For additional information and resources, please review updated information on the [Organizational Accounts Frequently Asked Questions](#) page.

- In March, USCIS will launch online filing of Form I-129, Petition for a Nonimmigrant Worker, and associated Form I-907 for non-cap H-1B petitions. Those who are filing Form I-129 alone or with Form I-907 may also file online.
- On April 1, 2024, USCIS service centers will no longer accept Form I-129 petitions requesting [H-1B Specialty Occupation Worker or H-1B1 \(HSC\) Free Trade Agreement Worker \(specialty occupation from Chile and Singapore\) classification](#). USCIS will reject such H-1B or H-1B1 (HSC) petitions received at a USCIS service center on or after April 1, 2024. There will be no grace period provided. Beginning on April 1, 2024, all paper-filed Form I-129 petitions requesting H-1B1 (HSC), or H-1B classification, including those with a concurrent Form I-907, Request for Premium Processing Service, and those with concurrently filed Form I-539 and/or Form I-765, must be filed at a USCIS lockbox facility.
- USCIS will provide the lockbox filing addresses for paper-filed forms in late March via web alert and on its [Form I-129 Direct Filing Addresses](#) page.
- USCIS is hosting several [Tech Talks](#) to answer questions about organizational accounts.

Details:

- [FY 2025 H-1B Registration Period and myUSCIS Organizational Account Reminders](#) (Feb. 28, 2024).

- [Organizational Accounts FAQ](#) (Mar. 1, 2024).
- [Organizational Accounts for Legal Representatives—Demonstration](#) (video, USCIS YouTube channel).
- [Organizational Accounts for Companies—Demonstration](#) (video, USCIS YouTube channel).
- [myUSCIS](#) login.
- [H-1B Electronic Registration Process](#) (Mar. 1, 2024).
- [H-1B Electronic Registration Process: Registrants](#) (video, USCIS YouTube channel).
- [I-129, Petition for a Nonimmigrant Worker](#), USCIS alert (Mar. 1, 2024).

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Certain Updated Forms Take Effect April 1 With No Grace Period

U.S. Citizenship and Immigration Services (USCIS) issued a reminder that under the new fee [final rule](#) effective April 1, 2024, the new 04/01/24 editions of several forms will be required, including:

- [Form I-129, Petition for a Nonimmigrant Worker](#).
- [Form I-129 CW, Petition for a CNMI-Only Nonimmigrant Transitional Worker](#)
- [Form I-140, Immigrant Petition for Alien Workers](#)

Note: USCIS will only accept the 04/01/24 edition of these forms if they are postmarked on or after April 1, 2024.

USCIS explained that although it usually provides "a grace period when publishing new forms, the forms listed above include changes necessary for us to administer the new fees." Beginning April 1, 2024, applicants and petitioners must submit the 04/01/24 edition of these forms with the appropriate fee listed on the [USCIS Fee Schedule G-1055](#). USCIS said it will reject earlier versions of the above forms.

Details:

- [USCIS alert](#) (Mar. 1, 2024).

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Reminder: Premium Processing Fees Have Increased

U.S. Citizenship and Immigration Services (USCIS) reminded employers that fees for Form I-907, Request for Premium Processing, increased as of February 26, 2024. The new fees are:

- \$2,805 if you are requesting premium processing of Form I-129 requesting E-1, E-2, E-3, H-1B, H-3, L (including blanket L-1), O, P, Q, or TN nonimmigrant classification.
- \$1,685 if you are requesting premium processing of Form I-129 requesting H-2B or R nonimmigrant classification.
- \$2,805 if you are requesting premium processing of Form I-140 requesting EB-1, EB-2, or EB-3 immigrant visa classification.
- \$1,685 if you are requesting premium processing of Form I-765 with eligibility category (C)(3)(A), (C)(3)(B), or (C)(3)(C).

- \$1,965 if you are requesting premium processing of Form I-539 seeking change of status to F-1, F-2, M-1, M-2, J-1, or J-2 nonimmigrant status.

USCIS said that if it receives a Form I-907 postmarked on or after February 26, 2024, with the incorrect filing fee, it will reject the Form I-907 and return the filing fee. For filings sent by commercial courier (e.g., UPS, FedEx, and DHL), the postmark date is the date reflected on the courier receipt, USCIS said.

Details:

- [USCIS alert](#) (Feb. 26, 2024).
- [USCIS final rule](#), 89 Fed. Reg. 89539 (Dec. 28, 2023).
- [How do I request premium processing?](#) USCIS form instructions.

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Eligible Ukrainians Can Apply for Re-Parole

U.S. Citizenship and Immigration Services (USCIS) announced on February 27, 2024, that eligible Ukrainian citizens and their immediate family members who are physically present in the United States can now be considered for re-parole to continue to temporarily remain in the United States.

Ukrainian citizens and their immediate family members who were paroled into the United States on or after February 11, 2022, can apply for re-parole under this process, USCIS said. The agency will consider these applications "on a discretionary, case-by-case basis for urgent humanitarian reasons or significant public benefit," as with any parole application.

If USCIS approves the re-parole application, the applicant may then file Form I-765, Application for Employment Authorization, in category (c)(11) to apply for a new Employment Authorization Document as proof of employment authorization consistent with the re-parole period.

Details:

- [Eligible Ukrainians Can Now Apply for Re-Parole](#), USCIS (Feb. 27, 2024).

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DOS Implements New Visa Restrictions for Transportation Operators Facilitating Irregular Migration

The Department of State (DOS) has implemented a new visa restriction policy that "targets owners, executives, and senior officials of charter flight, ground, and maritime transportation companies providing transportation services designed for use primarily by persons intending to migrate irregularly to the United States."

The new policy expands and supersedes the [Nicaragua policy on charter flights](#) issued in November 2023.

Details:

- [DOS press statement](#) (Feb. 21, 2024).

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E-Verify to Pilot 'Next Generation' Service in Spring 2024

E-Verify announced on February 22, 2024, that it will launch its "next generation" service, E-Verify+, as a pilot in spring 2024. E-Verify said the "plus" in E-Verify+ represents benefits the new service will provide to employers and employees, including "added efficiency" for employers and "more control over their personal information" for employees.

E-Verify+ will include streamlining of Form I-9 and the employment eligibility verification process. Feedback will be sought as part of the pilot process. Updates will be posted on [E-Verify.gov](https://www.e-verify.gov).

Details:

- [E-Verify notice](#) (Feb. 22, 2024).

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DOS Signs MOU With Germany on Exchange Visitor Program

The Department of State (DOS) announced on February 20, 2024, that it signed a memorandum of understanding (MOU) with the Federal Republic of Germany. The MOU waives certain regulatory provisions to establish an exchange of German principals to secondary schools overseen and financed by the government of Germany in the United States.

Exchange visitors under the MOU are "experts in a field with specialized knowledge or skills. Program participants are required to be German citizens, hold a valid German passport, and have teaching certification for the secondary level or an advanced degree equivalent to a Master's degree in school administration or a similar field. Program participants are selected by the Federal German Foreign Office and its subordinate authority, the Central Agency for Schools Abroad. Participants are placed as principals in German schools in the United States that are recognized and overseen by the Federal Foreign Office," the notice states.

DOS noted that a foreign national is eligible to participate in an exchange visitor program as a specialist if that individual does not fill a permanent or long-term position of employment while in the United States.

Details:

- [DOS notice](#), 89 Fed. Reg. 12937 (Feb. 20, 2024).

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Mayorkas Impeached; Conviction in Senate Seems Unlikely

After a previous failed attempt to impeach Secretary of Homeland Security Alejandro Mayorkas on February 6, 2024, Republicans in the House of Representatives succeeded in impeaching Mr. Mayorkas on February 13 with a vote of 214-213. Republicans accused Mr. Mayorkas of failing to maintain operational control of the border, among other things.

The Senate will next consider the articles of impeachment after February 26, 2024, when they return. The Senate has a variety of options, including voting to dismiss, acquit, or convict Mr. Mayorkas, among other things. Conviction, which would require a two-thirds majority vote, is considered highly unlikely. A vote to dismiss, by contrast, would need just a simple majority. Sen. James Lankford (R-OK) said the impeachment effort would be "dead on arrival" in the Senate.

Reaction from immigration advocates was sharp. American Immigration Lawyers Association (AILA) Executive Director Ben Johnson called the impeachment effort "politically motivated." He said, "The accusations that Secretary Mayorkas breached 'public trust' continue to ring hollow given he was implementing policy as Cabinet Secretaries have done throughout American history," and "[w]eaponizing the impeachment process is both unconstitutional and dangerous for the future of a functioning government." Jeremy Robbins, executive director of the American Immigration Council, said, "All this political grandstanding around Mayorkas does absolutely nothing to address our challenges at the border."

Details:

- [Senate Looks to Quickly Reject Mayorkas Impeachment Charges in Speedy Trial](#), New York Times (Feb. 14, 2024).
- [Articles of impeachment and related press releases.](#)
- [Constitutional Law Experts on the Impeachment Proceedings Against Secretary of Homeland Security Alejandro Mayorkas](#) (Jan. 10, 2024).
- [House Republicans Vote to Impeach Department of Homeland Security Secretary](#), American Immigration Lawyers Association and American Immigration Council (joint press release) (Feb. 14, 2024).

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President Orders Deferred Enforced Departure for Palestinians in the United States

On February 14, 2024, President Biden directed the Secretary of Homeland Security to grant Deferred Enforced Departure (DED) to Palestinians in the United States for 18 months, with some exceptions. He further directed the Secretary to authorize employment for Palestinian noncitizens whose removal has been deferred for the duration of such deferral, and "to consider suspending regulatory requirements with respect to F-1 nonimmigrant students who are Palestinians." The Biden administration said it is taking these actions to give Palestinians in the United States a "temporary safe haven" due to deteriorating humanitarian conditions in Gaza.

The memorandum lists exceptions to DED for Palestinians, including those who have not continuously resided in the United States since February 14, 2024, who have voluntarily returned to the Palestinian territories after that date, who are inadmissible under certain provisions of U.S. immigration law or subject to extradition, who have been convicted of any felony or two or more misdemeanors committed in the United States, or who the Secretary deems a danger to public safety.

According to reports, about 6,000 Palestinians are eligible for DED under the memorandum.

Details:

- [Memorandum on the Deferred Enforced Departure for Certain Palestinians](#), White House (Feb. 14, 2024).
- [Statement From National Security Advisor Jake Sullivan on Deferred Enforced Departure for Palestinians](#), White House (Feb. 14, 2024).
- [Biden Shields Palestinians in the U.S. From Deportation](#), New York Times (Feb. 14, 2024).

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[ETA Extends Comment Period for Responses to PERM Schedule A Request for Information](#)

The Department of Labor's Employment and Training Administration (ETA) has extended the comment period for responses to its PERM Schedule A Request for Information (RFI). ETA said it has received "a very limited number of comments, only a few of which have responded to the questions posed in the RFI." The public comment period was set to conclude on February 20, 2024, but has been extended to May 13, 2024.

As background, on December 21, 2023, ETA published the RFI, soliciting public input on potential revisions to Schedule A of the permanent labor certification process to include occupations in science, technology, engineering, and mathematics (STEM), including artificial intelligence-related occupations and non-STEM occupations, for which there may be an insufficient number of ready, willing, able, and qualified U.S. workers.

Details:

- [Employment and Training Administration Extends Comment Period for Stakeholders to Respond to PERM Schedule A Request for Information](#) (Feb. 15, 2024).

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[CIS Ombudsman Releases Tips on How to Avoid Getting Locked Out of Your USCIS Account](#)

On February 14, 2024, the Office of the Citizenship and Immigration Services (CIS) Ombudsman released a tip sheet on how people with individual U.S. Citizenship and Immigration Services (USCIS) online accounts can maintain access and avoid getting locked out of their accounts.

The tips include how to create a strong password, the importance of logging in regularly to maintain access (the tip sheet suggests "once a month or once every few months"), what to do when locked out, how to reset a password, security considerations, and how USCIS's [Technical Help Desk](#) works to assist with account access.

Details:

- [New Tip Sheet on How to Avoid Getting Locked Out of Your USCIS Account](#), Department of Homeland Security (Feb. 14, 2024).
- [Tip sheet](#) (PDF) (DHS) (Feb. 14, 2024).

[ETA Updates Allowable Charges for Agricultural Workers' Meals and for Travel Reimbursement, Including Lodging](#)

On February 13, 2024, the Department of Labor's Employment and Training Administration (ETA) announced updates to the allowable monetary charges that employers of H-2A temporary agricultural workers, in occupations other than herding or production of livestock on the range, may charge workers when the employer provides three meals per day. The annual notice also announced the maximum travel subsistence meal reimbursement a worker with receipts may claim under the H-2A and H-2B temporary nonagricultural programs, and reminded employers of their obligations with respect to overnight lodging costs as part of required subsistence.

The notice provides that:

- The updated maximum allowable charge has increased from \$15.46 to \$15.88 per day, unless the Office of Foreign Labor Certification's Certifying Officer approves a higher charge.
- The standard meals-and-incidentals-expenses (M&IE) rate is \$59 per day for 2024. Workers who qualify for travel reimbursement are entitled to reimbursement for meals up to the standard M&IE rate when they provide receipts. In determining the appropriate amount of reimbursement for meals for less than a full day, the employer may limit the meal expense reimbursement, with receipts, to 75 percent of the maximum reimbursement for meals, or \$44.25, based on the General Services Administration's [per diem schedule](#).

Details:

- [ETA notice](#), 89 Fed. Reg. 10101 (Feb. 13, 2024).

USCIS Releases FY 2023 Data and Highlights of FY 2024 Plans

On February 9, 2024, U.S. Citizenship and Immigration Services (USCIS) released end-of-fiscal-year (FY) 2023 data. Below are selected highlights of the data and USCIS's plans for FY 2024:

FY 2023 Backlog Reductions

- USCIS received 10.9 million filings and completed more than 10 million pending cases, both of which it called "record-breaking numbers." In doing so, USCIS said it reduced overall backlogs by 15%, including "effectively eliminating the backlog of naturalization applications." The median processing time for naturalization applicants also decreased from 10.5 months to 6.1 months by the end of the fiscal year.

FY 2023 Actions Affecting Workers and Employers

- USCIS and the Department of State issued more than 192,000 employment-based immigrant visas and, for the second year running, ensured that no available visas went unused, USCIS said. The agency increased the maximum validity period of Employment Authorization Documents (EADs) to five years for adjustment of status applicants. USCIS said it clarified eligibility for a range of immigration services, including the International Entrepreneur Rule, the EB-1 immigrant visa for individuals of extraordinary ability and outstanding professors and researchers, and the waiver of the two-year foreign residence requirement for J-1 cultural and educational exchange visitors (including foreign medical graduates). The agency also proposed a new rule "to strengthen worker protections and the integrity of the H-2 temporary worker program."
- USCIS removed the biometrics fee and appointment requirement for applicants for a change or extension of nonimmigrant status and updated the agency's interpretation of the Child Status Protection Act to prevent many child beneficiaries of noncitizen workers from "aging out" of child status, allowing them to seek permanent residence along with their parents.

FY 2024 Plans

In FY 2024, USCIS plans to:

- Work to maintain median processing times of 30 days for certain EAD applications filed by individuals who entered the United States after scheduling an appointment through the CBP One mobile application or the CHNV processes.

- Continue to update [policy guidance for the EB-5 investor visa program](#), incorporating statutory reforms to the Regional Center Program as they relate to regional center designation and other requirements for immigrant investors.
- Continue to update [policy guidance for student classifications](#), including eligibility for employment authorization, change of status, extension of stay, and reinstatement of status for F and M students and their dependents in the United States.
- Finalize a new rule on [the H-1B program](#) for specialty occupation workers.
- Propose a new rule on [the adjustment of status process](#), including regulations clarifying the age calculation under the Child Status Protection Act and providing employment authorization for certain derivative beneficiaries awaiting immigrant visa availability when they present compelling circumstances.

Details:

- [USCIS news release](#) (Feb. 9, 2024).

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EOIR to Transition to DOJ Login

On February 9, 2024, the Department of Justice (DOJ)'s Executive Office for Immigration Review (EOIR) announced new procedures for accessing the EOIR Courts & Appeals System (ECAS) Case Portal. EOIR is transitioning to "DOJ Login," a cloud-based identity management and authentication service. To facilitate this change, users must confirm or correct their primary email address, which will serve as their DOJ Login ID.

All currently registered practitioners will be migrated to DOJ Login ID to access ECAS Case Portal, EOIR said. EOIR is implementing a phased migration that it expects to complete this spring. EOIR said it has developed detailed instructions for this phased transition and will notify users by email when it is time for them to activate their new DOJ Login ID.

Those who have questions or need assistance can email customer support at ECAS.techsupport@usdoj.gov or call 1-877-388-3842.

Details:

- [EOIR notice](#) (Feb. 9, 2024).

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ABIL Global: Canada

Québec reopened its Immigrant Investor Program (QIIP) on January 1, 2024.

The QIIP is the only investment-based immigration program in Canada that does not require the foreign investor to show proof of active business management in Canada at the time of submission of the application, including proof of starting or establishing a business or hiring staff or employees in Canada.

The Québec government seeks to maintain a high level of francophone economic immigration in the Province of Québec. Proof of French language capacity on filing the application accepted by Québec Immigration are a Certificate of Test Results or Diploma for a recognized French language test such as

the TEFAQ, TEF Canada, TCF, TCFQ, or DELF/DALF, confirming that the applicant has reached a B2 level or higher in oral French (speaking and listening) and/or written French (reading and writing).

At the time of submission, applicants must also demonstrate that they meet the following criteria:

- They are at least 18 years old;
- They have a high school diploma at minimum (equivalent to a secondary diploma in Québec);
- They have at least two years of management experience in the five-year period before submitting the application; and
- They have at least CAD \$2,000,000 of net assets (just under USD \$1,500,000), accompanied with proof that the net assets were accumulated legally.

In addition, interested applicants must sign and agree to an Investment Agreement with a Québec government-authorized financial intermediary. Once the application is approved, they must make a CAD \$1,000,000 five-year investment with IQ Immigrants Investisseurs Inc. (IQII), a Québec crown corporation. The investment is guaranteed and bears no interest. Applicants also must make a non-refundable financial contribution of CAD \$200,000 to the Québec government.

Once the applicants have fulfilled the financial requirements of the Québec Immigrant Investor Program, they will be directed to Immigration, Refugees and Citizenship Canada (IRCC) to apply for a three-year Canadian Work Permit. The principal applicant and their spouse, if applicable, must meet a residency requirement of at least 12 months in Québec within the first two years of being issued their Canadian Work Permits. The principal applicant must reside in Québec for a minimum of six months, while the remaining six months of residency required can be satisfied by either the principal applicant or their spouse. Once they have satisfied this residence requirement, the applicant and the spouse can then apply for a Certificat de Sélection du Québec (CSQ) from Québec and, once the CSQs are received, apply for Canadian permanent residence with IRCC.

There is no quota for the program or deadline for the submission of applications.

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New Publications and Items of Interest

The [American Immigration Council](#) published a practice advisory, [Litigation for Business Immigration Practitioners](#). The advisory explains how to assess whether filing suit in federal court is the right option for challenging an employment-based petition denial. It provides factors to consider before filing suit, such as the strength of the administrative record and whether the preconditions for an Administrative Procedure Act cause of action have been met. The advisory also explains the components of a complaint and issues to consider, such as whether the court has jurisdiction, where to file, who the parties should be, what causes of action could be asserted, available remedies, and standards a federal court will apply in reviewing the agency's decision.

[E-Verify](#) will hold a series of upcoming webinars on I-9 and E-Verify issues:

- March 5, 2024, at 11 a.m. ET: [Form I-9 Overview](#)
- March 5, 2024, at 2 p.m. ET: [Form I-9 Document Training](#)
- March 6, 2024, at 2 p.m. ET: [E-Verify Overview](#)

[E-Verify webinar schedule](#): E-Verify regularly updates its [calendar of webinars](#).

Systematic Alien Verification for Entitlements (SAVE) webinar schedule:

- [SAVE Current Users & Best Practices Webinar](#), March 6, 2024, 1 to 2 p.m. ET
- [SAVE Program Overview](#), March 13, 2024, 1 to 2 p.m. ET
- [SAVE Current Users & Best Practices Webinar](#), March 21, 2024, 1 to 2 p.m. ET
- [SAVE Current Users & Best Practices Webinar](#), April 3, 2024, 1 to 2 p.m. ET
- [SAVE Program Overview](#), April 10, 2024, 1 to 2 p.m. ET
- [SAVE Current Users & Best Practices Webinar](#), April 18, 2024, 1 to 2 p.m. ET

For more information and additional webinars, see <https://www.uscis.gov/save/save-resources/save-webinars>.

Immigration agency X (formerly Twitter) accounts:

- EOIR: @DOJ_EOIR
- ICE: @ICEgov
- Study in the States: @StudyinStates
- USCIS: @USCIS

Alliance of Business Immigration Lawyers:

- ABIL is available on X (formerly Twitter): [@ABILImmigration](#)

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ABIL Member/Firm News

[Klasko Immigration Law Partners, LLP](#), welcomed [Nick Lowrey](#) to the firm. Mr. Lowrey has worked in immigration law for seven years and represents clients across industries. His practice primarily focuses on business immigration and worksite compliance. He has in-depth experience advising employers across a range of employment-based temporary and permanent visa categories. Mr. Lowrey leads clients through large-scale I-9 audits, provides strategic policy consulting, and offers compliance trainings to ensure clients are meeting their obligations. He consults with clients on unique I-9 issues, including suspect document assessments, immigration-related fraud, and anti-discrimination policies.

[Charles Kuck](#) appeared on [Atlanta News First](#) to comment on criticisms raised by Georgia lawmakers about the undocumented status of the University of Georgia murder suspect.

[Mr. Kuck](#) was quoted by *285 South* in [It's About to Get More Expensive to File Immigration Paperwork](#). Regarding increases in immigration-related fees, he said, "It's a massive money grab with no justification." The article notes that he acknowledged that the fee increase was less than what was first proposed, but, he said, "it's still very bad." He also wasn't optimistic that an increase in fees would lead to faster processing times. "[They] can't justify doubling the cost for [a green card through] marriage.... No way [is it] related to the actual cost of doing the application." Commenting on the fact that immigration lawyers and advocacy organizations are urging people to get their applications in before April 1 before the new fees kick in, Mr. Kuck said, "They should take advantage of the benefits that are available [at] current pricing."

[Mr. Kuck](#) was quoted by *Marianne* in [In the United States, the Immigration Debate is Undermined by the Biden-Trump Duel](#) (by subscription; in French with English translation available). He noted that under current law, all people who arrive in the United States, whether at a legal port of entry or illegally, have the right to apply for asylum. However, he explained that the wait for those with legitimate asylum claims is long. For example, he said, "I have clients who applied for asylum in 2014 and still have not had a hearing before a judge." If the proposed Senate border deal had been enacted, "there would be 4,000 new officials to handle asylum applications, and those cases would be adjudicated within six months. As

many applications would be rejected more quickly, there would be fewer applicants, as many would be deported relatively quickly. This message then [would spread] to the countries of origin and fewer people [would] try their luck."

Mr. Kuck was quoted by the *Atlanta Journal-Constitution* in [Border Politics Are Worse for Joe Biden Than Anyone Else](#). He discussed the reasons Biden was willing to work with Republicans on immigration and said the bill they crafted over the last four months could have made a meaningful difference: "There's a deterrence that comes from declaring an emergency, limiting the applications at ports of entry, and automatically deporting everybody else who is not at a port of entry. What's missing now is the deterrence factor."

Mr. Kuck was quoted by the EB-5 Investors blog in [How EB-5 Investors Must Prepare for Rejection in Their Application Process](#). He said, "The reality is that cases are denied and/or rejected for various reasons and no lawyer can guarantee success on a case. This is especially true as it relates to the source of funds (the main reasons [EB-5 investor] cases are denied)." Noting that failing to prove the legality of the EB-5 capital and project-related failures are the main reasons why USCIS rejects I-526 filings, Mr. Kuck said, "The most common reasons you will see is either a source of funds issue or a project filing that was incomplete or did not have the proper supporting documents such as permits, capital stack explanations, etc." He said that a rejected I-526 "can be refiled but will put you back at the end of the line, but a rejected I-526 with a rejected I-485 will cost you your status and your work authorization. There is no appeal to a court of a rejected I-526, at least not one that will be resolved quickly. Do everything you possibly can to make sure you can trace the legality of the money you are investing." Mr. Kuck also recommends that his clients "document every aspect of the case and check in with your attorney every six months after entry as a conditional permanent resident to make sure you are on track for a successful removal of conditions."

Mr. Kuck joined the [Politically Georgia](#) radio show to discuss border and immigration legislation being debated, including the Senate bill and other political issues.

Cyrus Mehta has authored a new blog post: [How Corner Post Along with the Demise of Chevron Deference Can Open Up Immigration Regulations to Challenges](#).

Mr. Mehta and **Kaitlyn Box** have authored a new blog post: [Board of Immigration Appeals in *Matter of Aguilar Hernandez* Provides Glimpse of How Statutes and Regulations Will Be Interpreted Without Deference to Government](#).

WR Immigration has published several new blog posts: [USCIS Immigration Filing Fees Increase Effective April 1](#) and [Client Alert: USCIS Final Rule for FY 2025 H-1B Cap Registration](#).

Stephen Yale-Loehr was quoted by *Time* in [How a Dead Border Deal Led to a Trump-Biden Border Duel](#). He said, "Presidents have a lot of authority when it comes to immigration, because immigration touches on sovereignty and foreign relations. However, any president's authority is not unlimited."

Mr. Yale-Loehr co-authored an op-ed in *Law360*, [NY Must Address Urgent Need For Immigration Legal Aid](#).

Mr. Yale-Loehr was quoted by CNN in [Biden Considering New Executive Action to Restrict Asylum at the Border, Sources Say](#). He said, "President Biden has broad powers under the immigration statute, but they are not unlimited. Section 212(f) of the Immigration and Nationality Act allows a president to suspend the entry of noncitizens who are 'detrimental to the interests of the United States,' but that doesn't mean he can just shut the border to everyone."

Several [Alliance of Business Immigration Lawyers](#) members were listed in [Chambers Global Guide 2024](#):

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Stephen Yale-Loehr – Band 1

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Government Agency Links

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

USCIS case processing times online: <https://egov.uscis.gov/processing-times/>

Department of State Visa Bulletin: <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin.html>

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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 400 member lawyers and their more than 1,000 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 <https://www.abil.com/>. ABIL is also on X (formerly Twitter): @ABILImmigration.

Disclaimer/Reminder

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