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[USCIS Issues Guidance Clarifying Anti-Discrimination Policy for USCIS Employees and Contractors Interacting With Public](#) – U.S. Citizenship and Immigration Services clarified its anti-discrimination policy pertaining to USCIS employees and contractors interacting directly or indirectly with members of the public.

[E-Verify Updates Tutorial](#) – E-Verify updated its tutorial and knowledge test "to accurately reflect E-Verify's processes, images, branding, and resources, and to provide new and existing users with an improved experience." The tutorial requirement and process has not changed.

[USCIS Reaches H-2B Cap for Second Half of FY 2024, Announces Filing Dates for Supplemental Visas](#) – U.S. Citizenship and Immigration Services (USCIS) has received enough petitions to meet the H-2B cap for the second half of fiscal year (FY) 2024. USCIS also announced the filing dates for supplemental H-2B visas for the remainder of FY 2024.

[H-1B Registration Glitch Causes Missing Signatures on Form G-28 PDFs](#) – According to reports, some practitioners have reported signatures missing on Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative (PDF version), for H-1B registrations.

[In Surprise About-Face on April 1, USCIS Cancels Raised Fees, Lowers Most Fees, and Freezes Other Fees](#) – The agency said it was just kidding about the immigration and naturalization-related fee "adjustments" scheduled for April 1, 2024.

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USCIS Has Completed FY2025 H-1B Cap Initial Registration

U.S. Citizenship and Immigration Services (USCIS) has completed the selection process for fiscal year (FY) 2025 H-1B cap registrations, including the master's cap, and has notified selected petitioners to proceed with filing their H-1B cap-subject petitions. Registrants can now check the status of their submissions online, with designations ranging from "Submitted" to "Selected" or "Not Selected." Additionally, USCIS reminds petitioners that H-1B cap-subject petitions for FY 2025 may be filed starting April 1, 2024, for selected beneficiaries, requiring submission of a copy of the selection notice and evidence of the beneficiary's valid passport or travel document used during registration. USCIS also highlighted changes in fees, form edition, and filing location effective April 1, 2024.

Details:

- [USCIS alert](#) (Mar. 29, 2024).

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Higher Immigration Fees Took Effect April 1

Effective April 1, 2024, higher immigration fees took effect following a U.S. district court judge's refusal to block a U.S. Citizenship and Immigration Services (USCIS) fee rule. USCIS has primarily targeted employers sponsoring workers, with fee increases of 70% for H-1B petitions, 201% for L-1 petitions, and 129% for O-1 petitions, alongside a new \$600 Asylum Program Fee and a raise in the H-1B Electronic Registration Fee from \$10 to \$215 per beneficiary. According to estimates by the National Foundation for American Policy, under the new rule, most companies may spend around \$9,400 to petition for a first-time H-1B visa holder, with costs potentially rising to about \$18,000 when including H-1B extensions.

In *Moody v. Mayorkas*, a federal judge denied the plaintiffs' motion for a temporary restraining order against USCIS, citing the high burden required for such an injunction. Despite this setback, the litigation continues, with plaintiffs aiming to challenge the fee rule's compliance with federal law and seeking potential returns of already paid higher fees. The plaintiffs affirmed their commitment to the case, emphasizing their belief in the strength of their arguments against the fee rule and their determination to pursue legal action against USCIS.

Details:

- [USCIS FAQs](#) (Apr. 3, 2024).
- [Forbes article](#) (Apr. 1, 2024)

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USCIS Announces Rule to Increase Automatic Extension Period for Work Permits

U.S. Citizenship and Immigration Services announced a temporary final rule to increase the automatic extension period for certain employment authorization document (EAD) holders from 180 days to 540 days. This temporary measure applies to eligible applicants who timely filed an EAD renewal application on or after October 27, 2023, if the application is pending on the date of publication in the Federal Register, as well as those renewal applicants who timely file their applications during the 540-day period after the rule's publication. The aim is to prevent nearly 800,000 EAD renewal applicants, including asylum applications, Temporary Protected Status applicants and green card applicants, from suffering a lapse in their employment authorization.

Details:

- [USCIS notice](#) (Apr. 4, 2024).

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USCIS Issues New Guidance on Medical Exam Validity

U.S. Citizenship and Immigration Services (USCIS) has issued new guidance on the validity of Form I-693, Report of Immigration Medical Examination and Vaccination Record. For all forms that were properly completed and signed by a civil surgeon on or after November 1, 2023, there is no expiration date and they may be used indefinitely to demonstrate an applicant is admissible on health-related grounds. However, USCIS officers do retain the discretion to request more evidence or a new or updated Form I-693 if they have reason to believe the submitted Form I-693 is inaccurate or that an applicant's medical condition has changed.

If an applicant's immigration medical examination was completed before November 1, 2023, the two-year validity period still applies.

Details:

- [USCIS Alert](#) (Apr. 4, 2024).

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U.S. District Judge Declines to Temporarily Stop Immigration Fee Increases

A U.S. District Judge in Colorado denied a request for a temporary restraining order to stop immigration fee increases that were scheduled to take effect April 1, 2024.

The judge said the court "simply cannot say [the irreparable harm alleged by the plaintiff if the fee hikes take effect] is great, especially in comparison to the amount she invested." The judge also noted that the plaintiffs waited about two months after the rule was finalized to file their lawsuit, finding that the delay "undercuts their claimed irreparable harm." Although the court did not grant a temporary restraining order, the litigation will proceed.

Details:

- [No Temporary Stay on U.S. Visa-Fee Hikes, But Lawsuit Will Continue](#), Times of India (Mar. 30, 2024).
- [Judge Won't Stop Immigration Fee Hikes From Taking Effect](#), Law360 (registration required) (Mar. 29, 2024).
- [Moody v. Mayorkas](#), 1:24-cv-00762, U.S. District Court for the District of Colorado (Mar. 29, 2024).

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USCIS Announces Filing Location Change for Certain Employment-Based Forms

U.S. Citizenship and Immigration Services (USCIS) announced that on April 1, 2024, it changed the filing location from USCIS service centers to a USCIS lockbox for concurrently filed Forms I-907, Request for Premium Processing Service; I-140, Immigrant Petition for Alien Worker; and I-485, Application to Register Permanent Residence or Adjust Status, and for related Forms I-131, Application for Travel Document; I-765, Application for Employment Authorization; and I-824, Application for Action on an Approved Application or Petition, filed with the application package.

The USCIS alert includes the addresses to use based on where the beneficiary will work. USCIS said that starting May 2, 2024, the agency may reject concurrently filed Forms I-907, I-140, and I-485, and any related Forms I-131, I-765, and I-824 filed with the application package, that are received at USCIS service centers.

Details:

- [USCIS alert](#) (Mar. 29, 2024).

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USCIS Reminds Employers About H-1B I-129 Filing Location Change and FY 2025 H-1B Cap Updates

U.S. Citizenship and Immigration Services (USCIS) issued several H-1B-related announcements and reminders:

- USCIS reminded employers that starting April 1, 2024, H-1B and H-1B1 (HSC) Form I-129 petitions must no longer be filed at USCIS service centers. All paper-based H-1B and H-1B1 (HSC) Form I-129 petitions must be filed at USCIS lockbox locations, including cap, non-cap, and cap-exempt H-1B filings. USCIS said it will reject such petitions received at a USCIS service center on or after April 1, 2024. There will be no grace period.
- USCIS also reminded employers that the initial registration period for the FY 2025 H-1B cap season closed at noon ET on March 25, 2024. USCIS said it "will soon randomly select enough unique beneficiaries of properly submitted registrations projected as needed to reach the FY 2025 H-1B numerical allocations (H-1B cap), including the advanced degree exemption (master's cap), and will notify all prospective petitioners with selected beneficiaries that they are eligible to file an H-1B cap-subject petition for such beneficiaries."
- Topics also included new fees and when to use the new I-129 form edition (04/01/24), online filing and organizational accounts, and prepaid mailers no longer being used.

Details:

- [USCIS alert](#) (Mar. 29, 2024).

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Naturalization Applicants Can Now Request Social Security Numbers on Form N-400

Beginning April 1, 2024, noncitizens applying for naturalization, using the new edition of Form N-400 (edition date 04/01/24), can complete additional questions on the form to request an original or replacement Social Security number (SSN) card and to authorize U.S. Citizenship and Immigration Services to update their immigration status as a U.S. citizen with the Social Security Administration (SSA) office, USCIS announced. The agency said this will eliminate the need for most new citizens to separately visit the SSA field office to apply for an SSN or replacement card or to provide documentation of their new U.S. citizen status to the SSA. (SSA may request additional information if needed.)

Applicants who do not request an SSN card or authorize the disclosure of information to the SSA when completing the Form N-400 must visit a Social Security office to request an SSN card and update their status as a U.S. citizen.

Details:

- [USCIS alert](#) (Mar. 28, 2024).

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New Law Provides Immigrant Visas to Certain Foreign National Employees of U.S. Government Abroad

U.S. Citizenship and Immigration Services (USCIS) announced on March 26, 2024, that foreign nationals (and their spouses and children) can now receive special immigrant visas when the foreign national has been employed by the U.S. government abroad for at least 15 years and the Department of State has found that it is in the national interest to award the visa. A limited number of such visas are available each fiscal year.

Individuals with the new classes of admission (COAs) are lawful permanent residents (LPRs). They may present the following documentation that includes a GV1 (USG SIV Employee—2024 NDAA (Arrival)), GV2 (Spouse, Arrival), GV3 (Child, Arrival), GV6 (USG SIV Employee—2024 NDAA (Adjustment)), GV7 (Spouse of GV6, Adjustment), or GV8 (Child of GV6, Adjustment) COA:

- Form I-551, Permanent Resident Card (Green Card);
- Form I-94, Arrival/Departure Record with a Temporary I-551 Permanent Resident Stamp;
- Foreign passport with a Temporary I-551 Permanent Resident Stamp; or
- Foreign passport with a Temporary I-551 Machine Readable Immigrant Visa.

Systematic Alien Verification for Entitlements will provide an initial verification response of "Lawful Permanent Resident – Employment Authorized" for a COA of GV1, GV2, GV3, GV6, GV7, or GV8.

Details:

- [USCIS notice](#) (Mar. 26, 2024).

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DOJ Secures Agreement With IT Staffing Company to Resolve Hiring Discrimination Claims

The Department of Justice (DOJ) announced on March 28, 2024, that it has secured a settlement agreement with Frank Recruitment Group Incorporated (FRG), an information technology staffing company that does business under eight brand names (Revolent Group, Nigel Frank International, Mason Frank International, Washington Frank International, Anderson Frank International, Nelson Frank International, Jefferson Frank International, and FRG Technology Consulting) at locations throughout the United States. The agreement resolves DOJ's determination that FRG "violated the Immigration and Nationality Act (INA) by excluding or deterring certain non-U.S. citizens with permission to work in the United States from applying to job opportunities because of their citizenship status." Under the terms of the settlement, FRG will pay \$100,000 in civil penalties to the United States, train its employees on the INA's anti-discrimination requirements, revise its employment policies, and be subject to monitoring by DOJ.

DOJ said its investigation "determined that FRG published several online job advertisements with language that restricted eligibility to U.S. citizens and lawful permanent residents, even though FRG had no lawful basis to do so. FRG's restrictive job ads excluded and deterred other potentially qualified individuals, including individuals granted asylum or refugee status by the federal government, based on their citizenship or immigration status."

Details:

- [Settlement agreement](#) (Mar. 27, 2024).
- [DOJ press release](#) (Mar. 27, 2024).

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USCIS Extends FY 2025 H-1B Cap Initial Registration Period to March 25

U.S. Citizenship and Immigration Services (USCIS) announced on March 21, 2024, that it has extended the initial registration period for the fiscal year (FY) 2025 H-1B cap. The initial registration period, which opened at noon ET on March 6, 2024, and was originally scheduled to run through noon ET on March 22, 2024, ran through noon ET on March 25, 2024. USCIS said it is "aware of a temporary system outage experienced by some registrants, and is extending the registration period to provide additional time due to this issue."

During this period, prospective petitioners and their representatives, if applicable, had to use a USCIS online account to register each beneficiary electronically for the selection process and pay the associated registration fee for each beneficiary, USCIS said. The agency added that it intended to notify selected registrants by March 31, 2024.

Details:

- [USCIS alert](#) (Mar. 21, 2024).

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USCIS Clarifies Policy Guidance on Expedite Requests

U.S. Citizenship and Immigration Services (USCIS) announced on March 21, 2024, that it has updated guidance in its [USCIS Policy Manual](#), effective immediately, to clarify how the agency considers expedite requests related to government interests and emergencies or urgent humanitarian situations, including travel-related requests. The update also clarifies how to make an expedite request and explains how USCIS processes expedite requests.

USCIS said it "may expedite cases identified as urgent by federal, state, tribal, territorial, or local governments of the United States because they involve public interest, public safety, national interest, or national security interests." When an expedite request is made by a federal government agency or department based on government interests, USCIS generally defers to that agency or department's assessment.

The update also clarifies that USCIS will consider expediting [Form I-131, Application for Travel Document](#), to benefit requestors in the United States "when they have a pressing or critical need to leave the United States, whether the need to travel relates to an unplanned or planned event, such as a professional, academic, or personal commitment."

When the need is related to a planned event, USCIS said it considers whether the applicant timely filed Form I-131, and whether processing times would prevent USCIS from issuing the travel document by the planned date of departure.

Details:

- [USCIS alert](#) (Mar. 21, 2024).

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DHS Extends and Redesignates Burma (Myanmar) TPS

The Department of Homeland Security (DHS) is extending and redesignating Burma (Myanmar) for Temporary Protected Status (TPS).

Extension. TPS for eligible beneficiaries will be extended for 18 months, beginning on May 26, 2024, and ending on November 25, 2025. Existing TPS beneficiaries who wish to extend their status through November 25, 2025, must re-register during the 60-day re-registration period beginning on the date of publication of the notice in the Federal Register (currently scheduled for March 25, 2024).

Redesignation. DHS estimates that approximately 7,300 individuals may become newly eligible for TPS under the redesignation of Burma. DHS explained that the redesignation of Burma allows additional nationals of Burma (and individuals having no nationality who last habitually resided in Burma) who have been continuously residing in the United States since March 21, 2024, to apply for TPS for the first time during the initial registration period, which begins on the date of publication of the notice in the Federal Register (currently scheduled for March 25, 2024), and runs through November 25, 2025.

In addition to demonstrating continuous residence in the United States since March 21, 2024, and meeting other eligibility criteria, initial applicants for TPS under the designation must demonstrate that they have been continuously physically present in the United States since May 26, 2024, the effective date of the redesignation, DHS said.

Details:

- Federal Register notice ([advance copy](#)), scheduled for publication on March 25, 2024.
- DHS [news release](#) (Mar. 22, 2024).

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USCIS Reopens Field Office in Tegucigalpa, Honduras

U.S. Citizenship and Immigration Services (USCIS) announced on March 22, 2024, the reopening of an international field office in Tegucigalpa, Honduras. USCIS said the Tegucigalpa Field Office, which will be available only by appointment, "will focus on increasing refugee processing capacity and helping reunite individuals with their family members already in the United States."

The Tegucigalpa Field Office will be located inside the U.S. Embassy in Honduras. USCIS said its staff will assume responsibility for agency workloads currently handled by the Department of State's Consular Section there. Additionally, reopening the USCIS Tegucigalpa Field Office "will help support the U.S. government's effort to resettle refugees from the Americas," USCIS said.

Details:

- [USCIS alert](#) (Mar. 22, 2024).

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USCIS Implements Streamlined Process to Shorten Wait Times for EADs, SSNs for Refugees

U.S. Citizenship and Immigration Services (USCIS) announced on March 12, 2024, that it has begun implementing a streamlined process to provide Employment Authorization Documents (EADs) more efficiently to eligible refugees after they are admitted into the United States. The process shortens the wait time for an EAD to approximately 30 days instead of several months, USCIS said. All individuals admitted into the United States as refugees on or after December 10, 2023, will receive EADs pursuant to this new process.

The new process is fully automated and no longer requires refugees to apply for an EAD. USCIS will digitally create a Form I-765 (EAD) for arriving refugees and begin adjudicating it as soon as they are admitted into the United States. USCIS indicated that after it approves a refugee's Form I-765, refugees "will generally receive their EAD within one to two weeks," although timeframes may vary depending on delivery times. USCIS will mail the EAD via U.S. Postal Service Priority Mail to the refugee's address of record. USCIS asks that refugees allow a total of 30 days before inquiring.

USCIS will also electronically provide the Social Security Administration with the information required to assign a Social Security number and mail a Social Security card to the refugee.

USCIS noted that this process does not apply to following-to-join refugees admitted into the United States based on an approved Form I-730, Refugee/Asylee Relative Petition. Additionally, refugees seeking a replacement or renewal EAD will still need to complete and submit Form I-765, USCIS said.

Details:

- [USCIS alert](#) (Mar. 12, 2024).

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USCIS Issues Guidance Clarifying Anti-Discrimination Policy for USCIS Employees and Contractors Interacting With Public

U.S. Citizenship and Immigration Services (USCIS) issued guidance on March 15, 2024, to further clarify its anti-discrimination policy pertaining to USCIS employees and contractors interacting directly or indirectly with members of the public. The guidance "is controlling and supersedes any related prior guidance," USCIS said. The agency noted that its policy is "to treat the public in a nondiscriminatory manner regardless of whether they belong to a class or group specifically protected under federal anti-discrimination laws or other legal authorities." The new policy guidance:

- Clarifies USCIS' anti-discrimination policy, specifically pertaining to USCIS employees interacting directly or indirectly with members of the public.
- Confirms that USCIS provides agency-wide training on its anti-discrimination policy to all its employees and contractors who interact directly or indirectly with members of the public.
- Affirms that USCIS is committed to providing consistent public service in accordance with its mission statement and core values.

Details:

- [USCIS Policy Alert](#), PA-2024-04 (Mar. 15, 2024).

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E-Verify Updates Tutorial

U.S. Citizenship and Immigration Services (USCIS) announced on March 13, 2024, that E-Verify updated its tutorial and knowledge test "to accurately reflect E-Verify's processes, images, branding, and resources, and to provide new and existing users with an improved experience." The tutorial requirement and process has not changed. USCIS said that new users must complete all lessons and pass the knowledge test with a score of 70% or above to begin using E-Verify. The agency noted:

- Existing users who successfully completed the knowledge test before this update can review the new content but are not required to retake the tutorial. Users may review or retake the tutorial by navigating to the "Take Tutorial" option under the Resources menu in their account.
- Users who were in the process of completing the tutorial but had not yet passed the knowledge test will have their progress reset. These users must start the tutorial over and complete the knowledge test to gain access to their accounts.

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USCIS Reaches H-2B Cap for Second Half of FY 2024, Announces Filing Dates for Supplemental Visas

U.S. Citizenship and Immigration Services (USCIS) announced on March 8, 2024, that it has received enough petitions to meet the H-2B cap for the second half of fiscal year (FY) 2024, which ends September 30, 2024. USCIS also announced the filing dates for supplemental H-2B visas for the remainder of FY 2024 made available under the [FY 2024 H-2B supplemental visa temporary final rule](#).

March 7, 2024, was the final receipt date for new cap-subject H-2B worker petitions requesting an employment start date on or after April 1, 2024, and before October 1, 2024. USCIS said it is rejecting new cap-subject H-2B petitions received after March 7, 2024, that request an employment start date

within that range.

USCIS said it continues to accept H-2B petitions that are exempt from the congressionally mandated cap. This includes petitions for:

- Current H-2B workers in the United States who wish to extend their stay and, if applicable, change the terms of their employment or change their employers;
- Fish roe processors, fish roe technicians and/or supervisors of fish roe processing; and
- Workers performing labor or services in the Commonwealth of the Northern Mariana Islands and/or Guam (until December 31, 2029).

Below are the filing start dates for each of the remaining supplemental visa allocations under the rule:

- **For employers seeking workers who are nationals of El Salvador, Guatemala, Honduras, Haiti, Colombia, Ecuador, and Costa Rica, regardless of whether such nationals are returning workers:** USCIS will begin accepting petitions for employers requesting an employment start date from April 1, 2024, to September 30, 2024, on March 22, 2024.
- **For employers seeking returning workers for the early second half of FY 2024 (April 1 to May 14):** USCIS will begin accepting petitions for the additional 19,000 visas made available to returning workers regardless of country of nationality on March 22, 2024.
- **For employers seeking returning workers for the late second half of FY 2024 (May 15 to September 30):** USCIS will begin accepting petitions for the additional 5,000 visas made available to returning workers regardless of country of nationality on April 22, 2024.

USCIS said it will stop accepting petitions under the temporary final rule received after September 16, 2024, or after the applicable cap has been reached, whichever occurs first.

USCIS previously [announced](#) that it received enough petitions to reach the cap for the additional 20,716 H-2B visas made available for returning workers for the first half of FY 2024 with employment start dates on or before March 31, 2024.

Details:

- [USCIS alert](#) (Mar. 8, 2024).

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H-1B Registration Glitch Causes Missing Signatures on Form G-28 PDFs

According to reports, some practitioners have reported signatures missing on Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative (PDF version), for H-1B registrations.

The American Immigration Lawyers Association said that U.S. Citizenship and Immigration Services has advised that any legal representative affected not submit registrations until further notice.

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In Surprise About-Face on April 1, USCIS Cancels Raised Fees, Lowers Most Fees, and Freezes Other Fees

In response to reports that a U.S. district judge declined to temporarily stop immigration fee increases, U.S. Citizenship and Immigration Services (USCIS) said they'd do that themselves. The agency announced on April 1, 2024, that it was just kidding about the immigration and naturalization-related fee "adjustments" [cough] increases] scheduled for April 1, 2024. At a press conference announcing the cancellation of fees, President Biden said, "This is not a joke, folks. No, I'm serious." He leaned over and whispered into the microphone for emphasis, "*No new taxes!* I mean fees!"

USCIS had planned to adjust [cough] raise] fees for the first time since 2016 to "recover operating costs" and "support timely processing." But among other things, the agency realized that timely processing is but a dream that flits away in the cold light of dawn like an unreliable seagull, so it threw up its hands and decided to cancel the [final rule](#). As USCIS Director Ur Jaddou noted, "'Clearing the Backlogs' would be a great name for a band! It markets itself through sheer repetition. But as with many band names, it's really a mere mist of a possibility, or in the realm of a wisp of hope passing like a ship in the night, or maybe a lonely seagull coasting across a bleak sky against the backdrop of a foggy, only dimly perceivable, horizon at the end of the lagoon of time and memory as we gaze into a future of backlogged, built-up, piled-up, pooled, and cached uncertainty, not to say doom..." Here Dr. Jaddou trailed off, gazed into the indeterminate distance, and held up her hand as if motioning toward a mirage. Doctors expect a full recovery.

Advocates, attorneys, and corporate immigration and HR professionals were agog at the announcement. "It boggles the mind!" said Buster Higginbotham, a reporter from the *Binghamton Bangle*. There were general blatherings of bafflement about the reverse adjustment, which one wag likened to "realizing you'd just put your pants on backwards." But these reactions were tempered with feelings of fortune and unflappability.

As of this writing, April 1 wasn't scheduled to occur until tomorrow, although USCIS said that was subject to change. This has led some to suspect that a bamboozlement about the freezing fees, or droppings, was afoot—or that perhaps USCIS just got cold feet, like a seagull in late fall padding across a wet, sandy beach whipped with the chill wind of approaching winter. Journalists (like gulls hungry for that last piece of fish glinting on the sea, or was it just a mirage?) flocked breathlessly to a hastily assembled press conference at which Director Jaddou's son's band, "Clearing the Backlogs," played to warm up the audience and clear the room of overblown metaphors. When asked, Director Jaddou said she had only one comment: "Happy April Fool's Day!"

Details:

- [No further comments, Your Honor](#) (Apr. 1, 2024).

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New Publications and Items of Interest

I-9 guidance updated on acceptable documents. In response to public inquiries about the Form I-9 (Employment Eligibility Verification) Lists of Acceptable Documents, especially List C #7 documents, USCIS clarified its guidance. Sample images of List C #7 documents as well as information on acceptable documents are now easier to find on I-9 Central and in the M-274, Handbook for Employers, USCIS said. See [Form I-9 Acceptable Documents](#) and the revised subsections of the Handbook for Employers:

- [Sections 13.1](#)
- [Section 13.2](#)
- [Section 13.3](#)

E-Verify remote document examination video. Employers who participate in E-Verify in good standing can remotely examine their employees' documentation using a Department of Homeland Security-authorized alternative procedure at their E-Verify hiring sites. The new [Remote Document Examination Video](#) demonstrates this process in two minutes.

Policy brief on employment-based immigration: The Migration Policy Institute (MPI) has released a new report, [A New Way Forward for Employment-Based Immigration: The Bridge Visa](#). The policy brief outlines MPI's "proposal for a new employment-based visa pathway, the bridge visa, that would enable the United States to better leverage immigration to meet its labor market needs. The proposed visa would help meet employers' demand for workers in a wide range of industries and across skill levels, be flexible enough to accommodate both circular migrants and those wishing to stay in the United States permanently, ensure protections for both U.S. and foreign workers, and grow and shrink in scale over time, as needed to meet economic and other imperatives."

Fact sheet for employers on avoiding Form I-9 violations: The Department of Justice's Civil Rights Division and U.S. Immigration and Customs Enforcement's Homeland Security Investigations released a joint fact sheet for employers, [How to Avoid Unlawful Discrimination and Other Form I-9 Violations When Using Commercial or Proprietary Programs to Electronically Complete the Form I-9 or Participate in E-Verify](#). This fact sheet discusses what employers should keep in mind if they use private-sector commercial or proprietary products to electronically complete, modify, or retain the Form I-9. Although the fact sheet refers to these products collectively as Form I-9 software programs, the information also applies to employers who use such programs to participate in E-Verify. The Form I-9 software programs discussed in this fact sheet do not include programs that the Department of Homeland Security directly oversees and administers, such as E-Verify.

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

Seth Dalfen, **Avi Gomberg**, **Genevieve Hénault**, and **Lisa Middlemiss**, of **Gomberg Dalfen, S.E.N.C.**, were included in the [2024 Canadian Legal Lexpert® Directory](#). They were ranked based on the *Lexpert®* peer survey.

Mr. Kuck has authored a new book, [In Pursuit of a Better Future: What You Need to Know to Achieve Your American Dream](#).

Charles Kuck and **Cyrus Mehta** were quoted by *Law360* in [High Court SEC Case May Bear on DOJ's Immigration Probes](#) (registration required). Mr. Mehta said, "In the SpaceX case, there's a unique statute that doesn't allow one to go and ask for attorney general review of the decision. You have to go directly to the court of appeals." He suggested that that feature of the case could mean it's destined for a stop at the Fifth Circuit and perhaps ultimately the U.S. Supreme Court, the article noted. Commenting on authority issues in a case the Supreme Court justices are reviewing, Mr. Kuck said, "Does that mean immigration courts are going away? Nobody's filed that challenge yet. It's not out there. But I can assure you that if the Supreme Court strikes down the SEC's right and authority to do these cases, that challenge is not far behind."

Mr. Mehta has authored a new blog post: [As Texas Has Been Smacked Down Thrice for Lack of Standing in Challenges to Federal Immigration Policy, Biden Should Get Even Bolder in Reforming Our Immigration System Through Executive Actions](#).

Mr. Mehta and **Kaitlyn Box** have co-authored several new blog posts: [To What Extent Can Walmart's Successful Blocking of an Administrative Law Judge in the Executive Office for Immigration Review Extend to Immigration Judges?](#); [The Application for Prevailing Wage Determination and the Application for Permanent Labor Certification: Siblings or Twins?](#); and [The Potential Impact of SEC v. Jarkesy on Immigration Law and EB-5 Lawyers](#).

Mr. Mehta and **Stephen Yale-Loehr** were quoted by Bloomberg News in [SpaceX, Walmart Court Wins Imperil DOJ's Immigration Bias Probes](#). The article noted that Justice Department efforts to prevent businesses from discriminating against work-authorized immigrants are in jeopardy after two courts sided with Walmart Inc. and SpaceX in declaring a little-known adjudication process unconstitutional. "We're in a brave new world when it comes to anti-discrimination cases because of the Walmart and SpaceX decisions, and it's going to take a while for this issue to get sorted out," said Mr. Yale-Loehr. Mr. Mehta added, "I would advise my employer clients who would be facing scrutiny to definitely file a lawsuit on these lines, if they were so inclined. I think it does embolden employers."

WR Immigration has published a new blog post: [5 Takeaways on EB-5 Visas From State Department's FY 2023 Annual Report](#).

Mr. Yale-Loehr was quoted by *the Chronicle of Higher Education* in [A Law That Could Restrict Graduate Students From China, Iran is Challenged in Court](#) (registration required). The article discusses a lawsuit filed by two doctoral students and a professor to block a new Florida law "that restricts public colleges in the state from hiring graduate assistants or visiting scholars from 'countries of concern,' including China, Iran, and Russia." Mr. Yale-Loehr said, "The U.S. Constitution provides due process and equal protection to everyone in the U.S., not just citizens. This Florida law clearly violates those rights by barring certain international students and professors from conducting academic research." He noted that a federal appeals court recently blocked another Florida law that banned Chinese citizens, including graduate students and professors, from buying property in the state because it would violate federal law. "I am confident that a federal court will void this Florida law on the same grounds," he said.

Mr. Yale-Loehr was quoted by *Verify This* in [No, Biden's Executive Order Doesn't Allow Ineligible People to Vote](#). He said, "Nothing in the executive order allows noncitizens to vote.... The executive order clearly states that [it] only protects the right to vote 'for all Americans who are legally entitled to participate in elections.' Noncitizens, even green card holders, are not allowed to vote in national elections." He noted that "[o]nly Congress can change the law to allow noncitizens to vote in federal elections, and even that would probably require a constitutional amendment, as it did to allow women to vote."

Mr. Yale-Loehr was quoted by *Verify This* in [No, the President Can't Completely Close the Border by Executive Order](#). The article notes that some people, including House Speaker Mike Johnson, have cited section 212(f) of the Immigration and Nationality Act "when claiming Biden has the authority to shut down the border via executive action." Mr. Yale-Loehr said that federal law does give the president broad powers to suspend the entry of certain noncitizens who are "detrimental to the interests of the United States," but that "doesn't mean [the President] can just shut the border."

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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

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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