

IMMIGRATION INSIDER

Vol. 22, No. 10 ▪ October 6, 2024

INSIDE THIS ISSUE

[FY 2026 Diversity Visa Program Application Period Is Underway](#) – The online registration period for the Diversity Visa (DV)-2026 program began on October 2, 2024, and concludes on November 5, 2024.

[USCIS Issues New Guidance on EB-1 'Extraordinary Ability' Eligibility Criteria](#) – U.S. Citizenship and Immigration Services issued policy guidance, effective immediately, to further clarify the types of evidence that the agency may evaluate to determine eligibility for extraordinary ability (E11) EB-1 immigrant visa classifications.

[Exchange Program Connects African Universities With HBCUs](#) – The Department of State is strengthening educational partnerships between African universities and Historically Black Colleges and Universities in the United States through an International Visitor Leadership Program exchange.

[DOS Announces Reduced Passport Processing Times](#) – The Department of State's Bureau of Consular Affairs said it is reducing processing times for passports to 4 to 6 weeks, down from 6 to 8 weeks.

[Special Immigrant Religious Worker Program Extended](#) – President Biden signed a law extending the EB-4 non-minister special immigrant religious worker program through December 20, 2024.

[USCIS Seeks Comments on H-2 Petitioners' Employment- and Fee-Related Notifications](#) – U.S. Citizenship and Immigration Services seeks comments by December 2, 2024, on H-2 petitioners' employment- and fee-related notifications (Form I-129N).

[USCIS Rejects 'Unusually High Number' of Alien Worker Petitions, Releases Tips](#) – U.S. Citizenship and Immigration Services has had to "reject an unusually high number of Forms I-140 (Immigrant Petition for Alien Worker) at intake because of incorrect fees and missing information." The agency released tips for petitioners.

[Work Authorization Procedures Announced for Liberians Covered by DED](#) – U.S. Citizenship and Immigration Services announced procedures for Liberians covered by Deferred Enforced Departure to apply for work permits that will be valid through June 30, 2026.

[Fee Exemptions and Expedited Processing Extended for Afghans](#) – U.S. Citizenship and Immigration Services is extending and expanding some previously announced filing fee exemptions and expedited application processing for certain Afghan nationals.

[DHS Designates Qatar for Visa Waiver Program](#) – The Department of Homeland Security has designated Qatar for the Visa Waiver Program, to be implemented December 1, 2024.

[SAVE Transaction Charges Increased October 1](#) – U.S. Citizenship and Immigration Services reminded Systematic Alien Verification for Entitlements users that transaction charges increased on October 1.

[USCIS Reaches H-2B Cap for First Half of FY 2025](#) – U.S. Citizenship and Immigration Services has received enough petitions to reach the congressionally mandated cap on H-2B visas for temporary nonagricultural workers for the first half of fiscal year 2025.

[USCIS Extends Green Card Validity to 36 Months for Renewals](#) – U.S. Citizenship and Immigration Services is automatically extending the validity of permanent resident cards (green cards) to 36 months for lawful permanent residents who file Form I-90, Application to Replace Permanent Resident Card.

[EB-5 Integrity Fund Fee Was Due October 1](#) – The annual fee is \$20,000 for each designated regional center, except for those with 20 or fewer total investors in the preceding fiscal year in their new commercial enterprises, in which case the annual fee is \$10,000.

[OMB Grants DOL's Emergency Request to Reinstate H-2A Forms](#) – The Office of Management and Budget approved through February 2025 the Department of Labor's emergency request to reinstate prior approved Forms ETA 790, 790A, 790B, and 9142A.

[Annual Limit Reached in EB-2 Visa Category](#) – The annual limit reset with the start of FY 2025 on October 1, 2024.

[OFLC Announces Revised Transition Schedule for H-2A Job Orders and Technical Guidance Under Farmworker Protection Rule](#) – The Department of Labor's Office of Foreign Labor Certification announced a revised transition schedule for receiving and processing H-2A job orders and Applications for Temporary Employment Certification under the Farmworker Protection Rule, along with other technical guidance.

[DOJ Secures Antidiscrimination Settlement Agreement With Parking Management Company](#) – The agreement resolves the Department of Justice's determination that SP Plus discriminated against a worker based on her national origin by rejecting a valid document that showed her permission to work and requesting that she provide unnecessary documentation.

[California Service Center Relocates; Filing Addresses Updated](#) – The California Service Center has moved to a new facility.

[District Court Extends Stay on Keeping Families Together PIP Applications](#) – Parole grants are paused, but U.S. Citizenship and Immigration Services will continue to collect applications.

[DOS Announces Creation of a Lightering Visa Classification](#) – The U.S. Department of State announces two new visa classifications for noncitizens seeking to transit the United States to join a vessel engaged in foreign trade or lightering activities.

[CBP Issues Directive on the Handling, Storage, Transference and/or Return of Detainee Personal Property](#) – Customs and Border Protection (CBP) provides a directive with additional guidance on its policies regarding the handling, processing, and return of detained individuals' personal property at CBP facilities.

ALSO IN THIS ISSUE

[New Publications and Items of Interest](#)

[ABIL Member/Firm News](#)

[Government Agency Links](#)

[About ABIL](#)

[Back to Top](#)

FY 2026 Diversity Visa Program Application Period Is Underway

The Department of State (DOS) [announced](#) that the online registration period for the Diversity Visa (DV)-2026 program began on October 2, 2024, at noon ET and will conclude on November 5, 2024, at noon ET.

Submission of more than one entry for a person during the registration period will disqualify all entries for that person, DOS said. The English version of the [DV-2026 Program Instructions](#) in PDF format is the only current official version available. Unofficial translations in additional languages will be added to the [DOS DV webpage](#) as they become available, DOS said.

DOS noted that, for the purposes of eligibility, some countries include components and dependent areas overseas. "If you are a native of a dependency or overseas territory, please select the appropriate country of eligibility. For example, natives of Macau S.A.R should select Portugal, and natives of Martinique should select France," DOS said.

For more information, see [89 Fed. Reg. 79997 \(Oct. 1, 2024\)](#).

[Back to Top](#)

USCIS Issues New Guidance on EB-1 'Extraordinary Ability' Eligibility Criteria

On October 2, 2024, U.S. Citizenship and Immigration Services (USCIS) issued [policy guidance](#), effective immediately, to further clarify the types of evidence that the agency may evaluate to determine eligibility for extraordinary ability (E11) EB-1 immigrant visa classifications. The policy guidance:

- Confirms that USCIS considers a person's receipt of team awards under the criterion for lesser nationally or internationally recognized prizes or awards for excellence in the field of endeavor;
- Clarifies that USCIS considers past memberships under the membership criterion;
- Removes language suggesting published material must demonstrate the value of the person's work and contributions to satisfy the published material criterion; and
- Explains that while the dictionary defines an "exhibition" as a public showing not limited to art, the relevant regulation expressly modifies that term with "artistic," such that USCIS will only consider non-artistic exhibitions as part of a properly supported claim of comparable evidence.

USCIS said the new guidance builds on a [previous EB-1 policy update](#) that provides "more clarity and transparency to assist petitioners in submitting appropriate evidence that may establish the beneficiary's eligibility."

The [policy update](#), which is included in the [USCIS Policy Manual](#), "is controlling and supersedes any related prior guidance on the topic," USCIS said.

[Back to Top](#)

Exchange Program Connects African Universities With HBCUs

On October 4, 2024, the Department of State (DOS) [announced](#) that it is strengthening educational partnerships between African universities and Historically Black Colleges and Universities (HBCUs) in the United States through an International Visitor Leadership Program (IVLP) exchange.

Participants in this professional exchange program "include African higher education faculty,

administrators, and government officials from 11 countries who are interested in internationalizing university campuses and strengthening and expanding higher education linkages with U.S. higher education institutions," DOS said.

The implementing partner for the IVLP is the Mississippi Consortium for International Development (MCID), a nonprofit organization that originated from a collaborative endeavor of four HBCUs in Mississippi.

[Back to Top](#)

[DOS Announces Reduced Passport Processing Times](#)

The Department of State's (DOS) Bureau of Consular Affairs announced on October 3, 2024, that it is reducing processing times for passports to 4 to 6 weeks, down from 6 to 8 weeks. "This announcement comes after months of issuing passports well under the 6–8 week commitment and showcases our progress to continuously improve the efficiency, equity, and accessibility of the U.S. passport application process," DOS said. The updated processing time applies to applications submitted on paper or online.

For those in need of expedited service for U.S. passports, DOS said its processing remains 2 to 3 weeks. These processing times "begin when an application is received by the State Department and do not include mailing times," DOS noted.

Those who wish to renew their passports can use the [Online Passport Renewal](#) system. DOS [launched](#) the full online renewal system on September 18, 2024.

[Back to Top](#)

[Special Immigrant Religious Worker Program Extended](#)

On September 26, 2024, President Biden signed a law extending the EB-4 non-minister special immigrant religious worker program through December 20, 2024. It was previously set to expire on September 30, 2024. U.S. Citizenship and Immigration Services (USCIS) [explained](#) that the law allows such workers to immigrate or adjust to permanent resident status by that "sunset date." Included are those in a religious vocation or occupation engaged in either a professional or non-professional capacity. The sunset date also applies to accompanying spouses and children.

Special immigrants entering the U.S. solely to carry on the vocation of a minister, and their accompanying spouses and children, are not affected by the sunset date, USCIS said. Nonprofit organizations whose use of special immigrant religious workers furthers the cultural or social interests of the United States may request expedited processing.

[Back to Top](#)

[USCIS Seeks Comments on H-2 Petitioners' Employment- and Fee-Related Notifications](#)

U.S. Citizenship and Immigration Services seeks comments on H-2 petitioners' employment- and fee-related notifications (Form I-129N). The notice was published in [89 Fed. Reg. 80589 \(Oct. 3, 2024\)](#). Comments are due by December 2, 2024.

USCIS is inviting comments on the nature of the information collection, the categories of respondents, the estimated burden (time, effort, and resources used by the respondents), the estimated cost to the respondent, and the information collection instruments. USCIS said the changes to this information collection are related to the [Modernizing H-2 Program Requirements, Oversight, and Worker Protections proposed rule](#), and are contingent on its successful conclusion.

[Back to Top](#)

USCIS Rejects 'Unusually High Number' of Alien Worker Petitions, Releases Tips

U.S. Citizenship and Immigration Services (USCIS) said it has had to "reject an unusually high number of Forms I-140 (Immigrant Petition for Alien Worker) at intake because of incorrect fees and missing information" since it published a new form edition and new fees. The agency released [tips for petitioners](#):

- When you file Form I-140, provide a payment with your petition for the full \$600 Asylum Program Fee, unless you qualify for a reduced Asylum Program Fee of either \$300 or \$0. If you do not provide the correct Asylum Program Fee, in addition to the \$715 filing fee, USCIS may reject your filing.
- Also, because your answers in Part 1 of the form to questions 5 and 6 tell USCIS whether you qualify for a reduced fee, they cannot be left blank.
- Provide separate payments for the \$715 filing fee and the Asylum Program Fee, using the *same* type of payment, either check/money order or Form G-1450 to pay with a credit card. Packages filed with more than one type of payment may be rejected.

USCIS provided a [chart](#) with guidance on how to complete questions 5 and 6 in Part 1 and determine the correct payment. USCIS also issued a reminder to check [form editions](#) before filing any forms.

[Back to Top](#)

Work Authorization Procedures Announced for Liberians Covered by DED

On September 23, 2024, U.S. Citizenship and Immigration Services (USCIS) [announced](#) procedures for Liberians covered by Deferred Enforced Departure (DED) to apply for employment authorization documents (EADs) that will be valid through June 30, 2026.

USCIS is automatically extending through that date the validity of DED-related EADs bearing a Category Code of A11 and a Card Expires date of March 30, 2020; January 10, 2021; June 30, 2022; or June 30, 2024. The agency noted that nationals of Liberia, and individuals having no nationality who last habitually resided in Liberia, do not need to apply for DED and are covered based on the terms described in President Biden's [directive](#).

USCIS noted that the Department of Homeland Security may provide travel authorization at its discretion to those covered under DED for Liberians. Individuals who wish to travel outside of the United States may file [Form I-131, Application for Travel Document](#). Individuals can also apply for an EAD by filing [Form I-765, Application for Employment Authorization](#).

A Federal Register notice at [89 Fed. Reg. 77885 \(Sept. 24, 2024\)](#) provides additional information about DED for Liberia and how eligible individuals may apply for a DED-based EAD or travel authorization.

[Back to Top](#)

Fee Exemptions and Expedited Processing Extended for Afghans

On September 27, 2024, U.S. Citizenship and Immigration Services (USCIS) [announced](#) that it is extending and expanding some [previously announced](#) filing fee exemptions and expedited application processing for certain Afghan nationals. "This will help Afghan nationals continue to resettle and, in many cases, reunite with family in the United States. It will enable USCIS to more quickly process requests for long-term status, status for immediate relatives, and associated services," the agency said.

Afghan nationals paroled into the United States on or after July 30, 2021, are eligible for the fee exemptions and streamlined processing through the dates listed in the [stakeholder message](#).

[Back to Top](#)

DHS Designates Qatar for Visa Waiver Program

The Department of Homeland Security (DHS) has designated Qatar for the Visa Waiver Program (VWP), to be implemented December 1, 2024. DHS announced the designation via a final rule published at [89 Fed. Reg. 78783 \(Sept. 26, 2024\)](#).

Eligible citizens, nationals, and passport holders from designated VWP countries may apply for admission to the United States at U.S. ports of entry as nonimmigrant noncitizens for a period of 90 days or fewer for business or pleasure without first obtaining a nonimmigrant visa.

[Back to Top](#)

SAVE Transaction Charges Increased October 1

U.S. Citizenship and Immigration Services (USCIS) reminded Systematic Alien Verification for Entitlements (SAVE) users that transaction charges increased on October 1, 2024.

The federal agency charge is \$2.25 per case in fiscal year (FY) 2025 (Oct. 1, 2024–Sept. 30, 2025). The non-federal agency charge is \$1.50 per case in FY 2025.

Information regarding the transaction charge increase as well as the phase-in timeline is available at [SAVE Transaction Charges](#).

[Back to Top](#)

USCIS Reaches H-2B Cap for First Half of FY 2025

U.S. Citizenship and Immigration Services (USCIS) announced on September 19, 2024, that it has received enough petitions to reach the congressionally mandated cap on H-2B visas for temporary nonagricultural workers for the first half of fiscal year 2025. USCIS said that September 18 was the final receipt date for new cap-subject H-2B worker petitions requesting an employment start date before April 1, 2025. "We will reject new cap-subject H-2B petitions we receive after Sept. 18 that request an employment start date before April 1, 2025," the agency said.

USCIS said it is still accepting H-2B petitions that are exempt from the congressionally mandated cap, including:

- Current H-2B workers in the United States who extend their stay, change employers, or change the terms and conditions of their employment;
- 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 from November 28, 2009, until December 31, 2029.

USCIS noted that Congress has set the H-2B cap at 66,000 per fiscal year, with 33,000 for workers who begin employment in the first half of the fiscal year (October 1-March 31) and 33,000 (plus any unused numbers from the first half of the fiscal year) for workers who begin employment in the second half of the fiscal year (April 1-September 30).

[Back to Top](#)

[USCIS Extends Green Card Validity to 36 Months for Renewals](#)

As of September 10, 2024, U.S. Citizenship and Immigration Services (USCIS) is automatically extending the validity of permanent resident cards (green cards) to 36 months for lawful permanent residents (LPRs) who file Form I-90, Application to Replace Permanent Resident Card. Form I-90 receipt notices had previously provided a 24-month extension.

USCIS has updated the language on Form I-90 receipt notices to extend the validity. The agency said that these receipt notices can be presented with an expired green card "as evidence of continued status and employment authorization."

Those who no longer have their green cards and need evidence of their LPR status while waiting to receive their replacement green card may request an appointment at a USCIS Field Office via the [USCIS Contact Center](#). In such cases, USCIS may issue an Alien Documentation, Identification, and Telecommunications (ADIT) stamp after the applicant files the Form I-90.

[Back to Top](#)

[EB-5 Integrity Fund Fee Was Due October 1](#)

The [EB-5 Integrity Fund](#) fee for fiscal year 2025 was due October 1, 2024. The annual fee is \$20,000 for each designated regional center, except for those with 20 or fewer total investors in the preceding fiscal year in their new commercial enterprises, in which case the annual fee is \$10,000.

The fees are used primarily to administer the EB-5 Regional Center Program as required by the EB-5 Reform and Integrity Act of 2022.

[Back to Top](#)

[OMB Grants DOL's Emergency Request to Reinstate H-2A Forms](#)

The Office of Management and Budget (OMB) [approved](#) through February 2025 the Department of Labor's (DOL) [emergency request](#), through a general notice, to reinstate prior approved Forms ETA 790, 790A, 790B, and 9142A, which the notice said was necessary to ensure continuity in administering the H-2A program and the Agricultural Recruitment System nationwide.

OMB said, "Within 60 days of this approval, the agency shall initiate revisions."

[Back to Top](#)

Annual Limit Reached in EB-2 Visa Category

On September 9, 2024, the Department of State (DOS) [announced](#) the issuance of all available visas in the employment-based second preference (EB-2) visa category for fiscal year (FY) 2024. The annual limit for EB-2 visas was 28.6 percent of the worldwide employment limit. The annual limit reset with the start of FY 2025 on October 1, 2024.

"Maximizing these visas facilitates legitimate travel for individuals with exceptional ability and professionals holding advanced degrees. These individuals bring contributions across many industries that greatly benefit the U.S. economy," DOS said.

[Back to Top](#)

OFLC Announces Revised Transition Schedule for H-2A Job Orders and Technical Guidance Under Farmworker Protection Rule

The Department of Labor's (DOL) Office of Foreign Labor Certification (OFLC) announced a [revised transition schedule](#) (scroll to September 10, 2024) for receiving and processing H-2A job orders and Applications for Temporary Employment Certification under the [Farmworker Protection Rule](#), along with other technical guidance.

The updates follow a preliminary injunction in *Kansas v. DOL* that prohibits DOL from enforcing the Farmworker Protection Rule in the states of Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Louisiana, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Carolina, Tennessee, Texas, and Virginia, and against Miles Berry Farm and members of the Georgia Fruit and Vegetable Growers Association as of August 26, 2024.

[Back to Top](#)

DOJ Secures Antidiscrimination Settlement Agreement With Parking Management Company

The Department of Justice (DOJ) [announced](#) on September 12, 2024, that it secured a [settlement agreement](#) with SP Plus Corporation (SP Plus), a transportation and parking management company based in Chicago. The agreement resolves the DOJ's determination that SP Plus discriminated against a worker based on her national origin by rejecting a valid document that showed her permission to work and requesting that she provide unnecessary documentation.

The DOJ Civil Rights Division's Immigrant and Employee Rights Section (IER) concluded that SP Plus discriminated against a Temporary Protected Status (TPS) beneficiary based on her national origin. DOJ noted:

TPS beneficiaries have [permission to work in the United States](#). They can get Employment Authorization Documents [EADs] that show employers their permission to work. Sometimes, the federal government extends these Employment Authorization Documents past the expiration date on the card. [Instructions](#) on how an employer can determine if an [EAD] has been extended by the federal government direct employers to look at the document's category code and date of expiration.

In this case, the IER found that SP Plus unlawfully rejected the worker's valid, extended EAD because she was born in the Bahamas rather than Haiti, the country through which she has TPS. Under the terms of the settlement, SP Plus will pay a civil penalty and offer reinstatement and back pay to the affected worker, DOJ said. The agreement also requires the company to train its personnel on the antidiscrimination requirements, revise its employment policies, and be subject to departmental monitoring.

[Back to Top](#)

[California Service Center Relocates; Filing Addresses Updated](#)

The California Service Center (CSC) has moved to a new facility:

USCIS California Service Center
2642 Michelle Drive
Tustin, CA 92780

U.S. Citizenship and Immigration Services (USCIS) said that the CSC has three new post office boxes to intake U.S. Postal Service mail, while UPS, FedEx, DHL, and all other commercial carrier mail will go to CSC's new facility address. Additional information and links are available via the [USCIS alert](#).

[Back to Top](#)

[District Court Extends Stay on Keeping Families Together PIP Applications](#)

On September 4, 2024, a [Texas District Court](#) issued an order [extending the administrative stay](#) preventing U.S. Citizenship and Immigration Services (USCIS) from approving any Keeping Families Together parole-in-place (PIP) applications for an additional 14 days, through September 23. In the meantime, USCIS can continue to accept and review PIP applications but cannot grant parole.

USCIS has said it would continue to accept applications but not grant parole under the program while the stay is in place. USCIS also [noted](#) that the district court's stay "does not affect any applications that were approved before the administrative stay order was issued at 6:46 p.m. Eastern Time on Aug. 26, 2024." The court set forth a detailed expedited schedule for further court filings up to October 10, 2024, with extensions possible through mid-October, followed by "an expedited hearing on preliminary relief and summary judgment, and if necessary a consolidated bench trial."

[Back to Top](#)

[DOS Announces Creation of a Lightering Visa Classification](#)

The U.S. Department of State (DOS) has [announced](#) that starting September 5, 2024, the Department will begin implementing two new visa classifications for noncitizens seeking to transit the United States to join a vessel engaged in foreign trade and undertaking lightering activities for a period not to exceed 180 days. Lightering is the ship-to-ship transfer of liquid cargo. The new visa classification permitting transit to join a lightering vessel is the C-4 visa. The new visa classification permitting crewmembers to perform lightering activities is the D-3 visa. Additionally, applicants may be eligible for a combination C-4/D-3 visa. Unlike C-1 and C-1/D visa holders whose stay in the United States cannot exceed 29 days, C-4, D-3, and C-4/D-3 visa holders are allowed to stay in the United States for a period not to exceed 180 days.

[Back to Top](#)

[CBP Issues Directive on the Handling, Storage, Transference and/or Return of Detainee Personal Property](#)

Customs and Border Protection (CBP) [provides a directive](#), effective August 2024, with additional guidance on its policies regarding the handling, processing, and return of detained individuals' personal property at CBP short-term holding facilities.

[Back to Top](#)

New Publications and Items of Interest

Sign-on letter to address work permit backlogs: The American Immigration Lawyers Association invites state and local chambers of commerce, individual businesses and corporations, trade associations, and law firms to [sign a letter](#) urging the Biden administration to eliminate work permit backlogs and improve processing times.

EOIR position openings: The Executive Office for Immigration Review is actively [recruiting](#) for a variety of positions, including judges, attorneys, court management, interpreters, and others. Deadlines for applications for some positions are fast approaching. For example, the application period for an [attorney advisor \(ELR\)](#) position closes on October 2, 2024, and the application period for an [attorney advisor \(General\) \(ILU\)](#) closes on October 9, 2024.

Fact Sheets on Eligibility to Naturalize: On September 27, 2024, U.S. Citizenship and Immigration Services (USCIS) released additional fact sheets on select characteristics of people with lawful permanent residence in [Columbus, Ohio](#). USCIS previously released sheets for [Tennessee](#), [Miami-Fort Lauderdale-Pompano Beach](#), [San Diego-Chula Vista-Carlsbad](#), [Denver-Aurora-Lakewood](#), [New York-Newark-Jersey City](#), [Buffalo-Cheektowaga](#), [Philadelphia-Camden-Wilmington](#), [Los Angeles-Long Beach-Anaheim](#), [New Orleans-Metairie](#), [Durham-Chapel Hill](#), [San Antonio-New Braunfels](#), and [Brownsville-Harlingen](#).

Info on Working Legally in the United States: U.S. Citizenship and Immigration Services has released "Important Information About Working Legally in the United States" for those paroled into the United States through the parole processes for nationals of Cuba, Haiti, Nicaragua, and Venezuela (CHNV); for those who have received a CBP One App appointment and presented at a Port of Entry; or for those who have applied for asylum and have an application pending for at least 150 days. The information is available in [English](#) and translated into [French](#), [Wolof](#), [Ukrainian](#), [Russian](#), [Spanish](#), and [Haitian Creole](#).

Case Management Pilot Program: The Department of Homeland Security (DHS) [Case Management Pilot Program](#) (CMPP) provides voluntary case management and other services to eligible noncitizens. The program is managed by a National Board chaired by the DHS Officer for Civil Rights and Civil Liberties and comprises nonprofits with experience in providing and evaluating case management programs for immigrants and asylees. The American Immigration Lawyers Association, Women's Refugee Commission, Global Refugee, Lutheran Social Services of the National Capital Area, and International Rescue Committee have published a [joint backgrounder](#) on the CMPP.

USCIS Tech Talks: U.S. Citizenship and Immigration Services announced Tech Talk sessions to answer questions about USCIS online accounts:

- [Tuesday, Oct. 8, 2–2:45 p.m. ET](#). USCIS subject-matter experts will address common issues and questions related to online filing and will respond to questions.
- [Tuesday, Nov. 5, 2–2:45 p.m. ET](#). Topic to be announced.

E-Verify webinars: E-Verify has updated its [calendar of webinars](#).

SAVE webinars: Systematic Alien Verification for Entitlements (SAVE) has updated its [calendar of webinars](#) and added a webinar with a focus on commonly used immigration documents for SAVE.

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](#)

[Back to Top](#)

ABIL Member/Firm News

Loan Huynh was quoted by *Bloomberg Law* in [Foreign Farmworker Safeguards in Doubt as DOL Tests Its Power](#). Parts of the regulations will offer clarity to employers navigating the H-2A program, such as provisions addressing withholding of worker documents, but the limited geographic scope of the injunction in *Kansas v. DOL* will likely lead to more confusion among agricultural employers, she said: "I would advise my employers that they need to follow the rule until we get guidance from the Department of Labor otherwise."

Charles Kuck was quoted by CNN in [Elon Musk is One of Immigration's Harshes Critics. He Once Described His Past Immigration Status as a "Gray Area."](#) Commenting on Elon Musk's remark that his early immigration status in the United States was a "gray are," Mr. Kuck said, "Actually, there are no gray areas in immigration." Instead, he said, there are people who get caught for violations and people who don't. "I will tell you, as somebody who's done immigration law for 35 years, that a lot of immigrants leave their immigration history behind, right? They want to move on to their new life. But when you speak out against other people's immigration journey, then yours becomes subject to scrutiny. ... If you live in a glass house, you shouldn't throw stones."

Mr. Kuck was quoted by the *Times of India* in USCIS' [New Insignia Features the Statue of Liberty With the Tagline: Upholding America's Promise](#). Mr. Kuck said, "You spent money and time on this? Why? It's a LOGO! Just do your job and adjudicate the applications."

Mr. Kuck authored a new blog post: [How Will Trump Destroy the U.S. Legal Immigration System](#).

Mr. Kuck was a guest on Episode 7 of the [Immigration Ain't Easy](#) podcast.

Cyrus Mehta was quoted by *Bloomberg Law* in [Judge's Past Red-State Advocacy Shadows Big Immigration Case](#). Mr. Mehta noted that U.S. District Judge Campbell Barker's order raised questions about whether someone could be paroled "into" the United States if they were already present in the country and whether the Department of Homeland Security incorrectly focused on public benefits stemming from the larger parole program, rather than individual grants. That logic would undermine the legal basis of a separate program granting parole for military spouses, which has been used since 2013, Mr. Mehta said. "I don't think it's a foregone conclusion that this judge will rule in Texas' favor, but it's foreboding at this point in time," he said.

Cyrus D. Mehta & Partners PLLC [announced its acquisition](#) of Claudia Slovinsky and Associates, PLLC, significantly expanding and deepening its immigration law practice. Both law firms are renowned for providing exceptional legal representation in a wide range of immigration matters. They have developed mutual expertise in addressing the needs of both corporations and individuals. Both firms are deeply committed to delivering the highest quality legal services to immigrants, their families, and employers. As part of this transition, Cyrus D. Mehta & Partners is pleased to welcome **Dominic Kong**, a highly skilled and experienced immigration attorney with deep expertise in employment-based immigrant and nonimmigrant visa petitions. The firm also welcomes **Reynaldo Pabon**, who comes with law firm management experience and is joining as a management analyst to enhance workflow and technology. An article in *Law360*, [NY Immigration Boutique Buys Retiring Pro's Firm](#), available by registering, reported on the acquisition and quoted Ms. Slovinsky, the retiring lawyer who sold the practice to Cyrus D. Mehta & Partners PLLC.

Mr. Mehta authored a new blog post: [Making the Case of the Manager under the L-1A Visa Whose Subordinates Are AI Bots.](#)

Mr. Mehta and **Kaitlyn Box** co-authored several new blog posts: [While the Dogs and Cats of Springfield, OH are Safe, the Haitian Immigrants Are Not](#) and [Parole in Place – A Means to an End or An End in Itself?](#)

Mr. Mehta and **Ms. Box** were invited speakers at a Strafford Webinar, "Immigration Law After *Loper Bright* Decision: Anticipated Agency Impact, Ramification for Attorneys and Clients," on September 26, 2024. The speakers discussed the ramifications of the *Loper Bright* decision on immigration law. Specifically, the speakers explored *Loper Bright*'s impact on the interpretation of immigration statutes and policies and its impact on clients. A [recording](#) of the event is available.

Stephen Yale-Loehr co-authored a blog, [Think Immigration: How the New D3 Waiver Guidance Is Unlocking Opportunities for Dreamers in the Workforce.](#)

Mr. Yale-Loehr was quoted by *PolitiFact* in [Immigration Experts Say JD Vance is Wrong. Haitians Under Temporary Programs Are in the U.S. Legally.](#) Mr. Yale-Loehr noted that if temporary protected status were revoked, deportation would not be immediate. "They would all have a right to a removal hearing before an immigration judge to determine whether they have some right to remain here, such as asylum," he said.

Mr. Yale-Loehr spoke at a webinar, [Preparing for Change: How a New Administration Could Impact DACA Recipients](#), held September 25, 2024. The webinar was sponsored by Immigrants Rising, Cornell Law School's Path2Papers, and the Immigration Institute of the Bay Area. It was geared toward Deferred Action for Childhood Arrivals (DACA) recipients in the San Francisco Bay Area, but all were welcome to learn how a Harris or Trump administration could impact immigration status and legal options for DACA recipients. The webinar explored a range of topics including family, humanitarian, and employment-based options, as well as mental health resources offered through Immigrants Rising.

Mr. Yale-Loehr coauthored an op-ed entitled "[Building Startups, Not Walls: High-Skilled Immigration Policy Changes in the US](#)", in The Well News, highlighting the International Entrepreneur Parole program.

[Back to Top](#)

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>

[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 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.

Copyright © 2024 Alliance of Business Immigration Lawyers. All rights reserved.

Back to Top