

Newsletter

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Welcome to the July issue of our monthly newsletter! This is a complimentary service to clients and friends of the Firm to keep you informed of immigration law developments that may affect you or your organization. Please contact Munsch Hardt's Immigration Team with your comments and questions.

DEPARTMENT OF HOMELAND SECURITY (DHS) UPDATE:

U.S. Citizenship and Immigration Services (USCIS) has just released a revised version of Form I-9, Employment Eligibility Verification. Employers may use the new version of Form I-9 (edition date of 07/17/17 N) or continue using the Form I-9 with a revision date of 11/14/16 N through September 17, 2017. On September 18, 2017, employers will be required to use the form with a revision date of 07/17/17 N. Changes to the form include (1) the addition of the Consular Report of Birth Abroad (Form FS-240) to List C, Documents that Establish Employment Authorization, (2) merger of all certifications of report of birth issued by the Department of State (Form FS-545, Form DS-1350, and Form FS-240) in List C, and (3) renumbering of all List C documents (except the Social Security Card).

PRESIDENT TRUMP'S EXECUTIVE ORDER:

The Supreme Court has partially lifted the preliminary injunctions that barred the implementation of sections 2 and 6 of the Executive Order ("EO") signed by President Trump on March 6, 2017, which suspends the entry to the U.S. of nationals from six designated countries (Iran, Libya, Somalia, Sudan, Syria, and Yemen). The EO's U.S. entry suspension does not apply to any applicant who has a credible claim of a "bona fide relationship" with a person or entity in the U.S. The Department of State has clarified that relationships with a person must be a close familial relationship and those with an entity must be formal, documented, and formed in the ordinary course, rather than for the purpose of evading the EO.

Similarly, section 6 of the EO suspends the U.S. Refugee Admissions Program (USRAP) for 120 days, except for cases where an applicant has a credible claim of a "bona fide relationship" with a person or entity in the U.S. Stay tuned for further updates.

DEPARTMENT OF STATE (DOS) UPDATE:

DOS has confirmed that it is sending e-mails to some employers who have submitted immigration proceedings on behalf of beneficiaries. The e-mails come from a contractor at the DOS and ask employers to confirm that a beneficiary will be providing services at the company. If you receive such an e-mail from the e-mail address clientverification@state.gov, please contact your immigration counsel as soon as possible.

The August 2017 DOS Visa Bulletin "Final Action" chart for employment-based preference cases contains some important updates as we head into the eleventh month of FY2017. As anticipated, the DOS established a cut-off date of April 1, 2015 for EB-2 "Members of the Professions Holding Advanced Degrees or Persons of Exceptional Ability" for All Chargeability areas, Mexico, El Salvador / Guatemala / Honduras, and the Philippines. The DOS expects these EB-2 categories will become current in October when the new fiscal year begins. EB-3 "Skilled

Workers / Professionals” for All Chargeability areas, Mexico, and El Salvador / Guatemala / Honduras is current. EB-3 Philippines advances 1 year to a cut-off date of June 1, 2015 while EB-3 India continues its steady movement by advancing 5 months to July 15, 2006. Please review next month’s newsletter for the latest update and contact your immigration counsel with questions and to plan immigration proceedings filing based on the Bulletin data.

Related Practices

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