

Newsletter

Immigration Monthly - November 2016

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Welcome to the November 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.

HOLIDAY REMINDER:

In addition to wishing everyone a Happy Holiday Season, we have a few important reminders for travel and vacations. If you, your employees or family members are planning foreign travel, be sure to check passport and visa validity dates, schedule any passport renewals and consular visa appointments well in advance of the trip. U.S. consulates schedule holiday closings and are often short-staffed this time of the year, double-check local consular procedures and verify any scheduling changes. Consult your immigration counsel regarding any visa renewal requirements and related timelines as soon as you become aware of any foreign travel plans.

DEPARTMENT OF HOMELAND SECURITY (DHS) UPDATE:

DHS announced that it is increasing filing fees for many of its immigration applications. Applications and petitions mailed, postmarked, or otherwise filed on or after December 23, 2016 must include the new fee. Be sure to check on the new filing fees before submitting your immigration proceedings, for December 23, 2016 or later delivery to U.S. Citizenship and Immigration Services (USCIS).

CUSTOMS AND BORDER PROTECTION (CBP) NEWS:

- CBP has launched the Electronic Visa Update System (EVUS) website and applicants may now enroll. The system will provide for collection of biographic information from foreign nationals in nonimmigrant status. Additionally, CBP has confirmed that beginning November 29, 2016, all individuals with a P.R. China passport bearing an unrestricted, maximum validity B-1, B-2, or combination B-1 / B-2 visa will be required to have a valid EVUS for travel to the U.S. CBP will not collect a fee for EVUS enrollment at this time, but does anticipate an enrollment fee in the future. EVUS may eventually be expanded to include a number of other countries and nonimmigrant visa categories.
- A former U.S. Citizenship and Immigration Services (USCIS) officer was sentenced to 33 months in federal prison for bribery. The officer, Daniel Espejo Amos, who had authority to approve applications for citizenship, admitted to accepting more than \$53,000 in cash bribes in exchange for helping at least 60 individuals obtain U.S. citizenship. Amos admitted to falsely certifying that immigrants had met requirements for citizenship including passing the English competency and civics portion of the naturalization interview and examination administered by USCIS.

DEPARTMENT OF STATE (DOS) UPDATE:

The December 2016 DOS Visa Bulletin “Final Action” chart for employment-based preference cases reflects some movement as we head into the third month of the government’s new fiscal year (FY2017). EB-2 “Members of the Professions Holding Advanced Degrees or Persons of Exceptional Ability” category for India progresses 3 months to a cut-off date of February 1, 2008. EB-2 China advances 2 months to a cut-off date of September 22, 2012, while EB-3 China progresses 2 ½ months to a cut-off date of July 1, 2013. EB-3 Philippines continues its steady progress by advancing another 2 months to June 1, 2011. EB-3 for All Chargeability areas, El Salvador / Guatemala / Honduras, and Mexico maintains the same cut-off date of July 01, 2016.

Due to continued demand for immigrant visa numbers in certain categories, the Department of State projects that it will impose a Final Action cut-off date for EB-1 China and India at some point within this fiscal year. EB-2 All Chargeability, Mexico, and the Philippines is also projected to have a Final Action cut-off date no later than July 2017. EB-3 will likely continue to maintain the July 1, 2016 for the January 2017 Visa Bulletin. Continue monitoring the monthly Visa Bulletin for further developments.

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