



MID-NOVEMBER 2017 IMMIGRATION UPDATE

Posted on November 15, 2017 by Cyrus Mehta

Headlines:

1. [DHS Announces Delayed Termination of TPS for Nicaragua, Six-Month Extension for Honduras](#) – Acting Secretary of Homeland Security Elaine Duke is terminating TPS for Nicaragua with a delayed effective date of 12 months, to January 5, 2019. She also determined that additional information is necessary regarding the TPS designation for Honduras before a determination can be made. As a result, the TPS designation for Honduras will be automatically extended for 6 months, to July 5, 2018.
2. [U.S. Resumes Limited Visa Operations in Turkey](#) – The U.S. Mission in Turkey announced that embassies and consulates have resumed "limited visa services" in Turkey.
3. [USCIS Warns About Scams Requesting I-9 Forms Via Email](#) – USCIS recently announced that employers have received scam emails requesting Form I-9, Employment Eligibility Verification, information. The emails claim to come from USCIS but do not. Employers are not required to submit Forms I-9 to USCIS but must retain them for a period of time.
4. [E-Verify Employers Can Request Authorization to Post Logo](#) – E-Verify employers can now request authorization from USCIS to post the trademarked E-Verify logo on their websites, presentation materials, and brochures "to let everyone know they are committed to maintaining a legal workforce."
5. [Firm In The News...](#)

Details:

1. **DHS Announces Delayed Termination of TPS for Nicaragua, Six-Month Extension for Honduras**

Acting Secretary of Homeland Security Elaine Duke announced on November 6, 2017, her decision to terminate the temporary protected status (TPS) designation for Nicaragua with a delayed effective date of 12 months to allow for an orderly transition before the designation terminates on January 5, 2019. She also determined that additional information is necessary regarding the TPS designation for Honduras before a determination can be made. As a result, the TPS designation for Honduras will be automatically extended for 6 months from the current January 5, 2018, expiration date to July 5, 2018.

The Department of Homeland Security (DHS) said the decision to terminate TPS for Nicaragua was made after a review of the conditions on which the country's original 1999 designation were based and whether those "substantial but temporary" conditions prevented Nicaragua from adequately handling the return of its nationals. Based on all available information, Acting Secretary Duke determined that those substantial but temporary conditions caused in Nicaragua by Hurricane Mitch no longer exist, and thus the current TPS designation must be terminated.

DHS said that the 12-month delay in the TPS expiration for Nicaragua "will provide time for individuals with TPS to seek an alternative lawful immigration status in the United States, if eligible, or, if necessary, arrange for their departure. It will also provide time for Nicaragua to prepare for the return and reintegration of their citizens."

Regarding Honduras, Acting Secretary Duke said she concluded that despite receiving input from a broad spectrum of sources, additional time is necessary to obtain and assess supplemental information pertaining to country conditions in Honduras to make an "appropriately deliberative" TPS designation determination. Based on the lack of definitive information regarding conditions on the ground compared to pre-Hurricane Mitch, the Acting Secretary has not made a determination yet, thereby automatically extending the current TPS designation for Honduras for six months.

DHS noted, however, that it is possible that the TPS designation for Honduras will be terminated at the end of the 6-month automatic extension "with an appropriate delay."

DHS said that it recognizes the difficulty facing citizens of Nicaragua, "and potentially citizens of other countries," who have received TPS designation for "close to two decades." Acting Secretary Duke called on Congress "to enact a

permanent solution for this inherently temporary program."

Nicaraguans and Hondurans with TPS will be required to reapply for employment authorization documents to legally work in the United States until the end of their TPS extensions. Further details will appear in a Federal Register notice, DHS said.

The announcement is at

<https://www.dhs.gov/news/2017/11/06/acting-secretary-elaine-duke-announcement-temporary-protected-status-nicaragua-and>.

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2. U.S. Resumes Limited Visa Operations in Turkey

The U.S. Mission in Turkey announced on November 6, 2017, that embassies and consulates have resumed "limited visa services" in Turkey.

The U.S. Mission noted that "e continue to have serious concerns about the existing cases against arrested local employees of our Mission in Turkey. We are also concerned about the cases against U.S. citizens who have been arrested under the state of emergency. U.S. officials will continue to engage with their Turkish counterparts to seek a satisfactory resolution of these cases."

The U.S. Mission also said, however, that it had received "initial high-level assurances" that no additional local employees of the U.S. Mission in Turkey are under investigation. "We have also received initial assurances from the Government of Turkey that our local staff will not be detained or arrested for performing their official duties and that Turkish authorities will inform the U.S. government in advance if the Government of Turkey intends to detain or arrest a member of our local staff in the future."

The U.S. Mission also said that Turkish citizens with valid visas may continue to travel to the United States. Turkish citizens "are also welcome to apply for a nonimmigrant visa outside of Turkey whether or not they maintain a residence in that country. Please note that an applicant applying outside of Turkey will need to pay the application fee for services in that country, even if a fee has previously been paid for services in Turkey."

As background, on October 8, 2017, the U.S. Department of State announced that it was suspending nonimmigrant visa services at its diplomatic facilities in Turkey. Nonimmigrant visas included business, tourist, student, and temporary

work authorization visas. The suspension also applied to diplomatic and official visas.

The U.S. Mission said that those with questions regarding canceled appointments or other issues resulting from these issues should see <https://tr.usembassy.gov/visas/nonimmigrant-visas/>.

The latest statements are at <https://tr.usembassy.gov/statement-u-s-mission-turkey-re-opening-limited-visa-services-turkey/> and <https://tr.usembassy.gov/visas/nonimmigrant-visas/>.

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3. USCIS Warns About Scams Requesting I-9 Forms Via Email

U.S. Citizenship and Immigration Services (USCIS) recently announced that employers have received scam emails requesting Form I-9, Employment Eligibility Verification, information. The emails claim to come from USCIS but do not. Employers are not required to submit Forms I-9 to USCIS but must retain them for a period of time.

USCIS said that the scam emails have been coming from a fraudulent email address: news@uscis.gov. This is not a USCIS email address. The body of the email may contain USCIS and Office of the Inspector General labels, your address, and a fraudulent download link to a non-government web address (uscis-online.org). "Do not respond to these emails or click the links in them," USCIS warned.

Those who believe they received a scam email requesting I-9 information from USCIS may report it to the Federal Trade Commission at <https://www.ftccomplaintassistant.gov/GettingStarted?OrgCode=USDOEVCC&NxtQID=261#crnt>. Those who are uncertain may forward the suspicious email to the USCIS webmaster, uscis.webmaster@uscis.dhs.gov. USCIS "will review the emails received and share with law enforcement agencies as appropriate."

USCIS scam alerts and related resources are at <https://www.uscis.gov/avoid-scams/common-scams>.

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4. E-Verify Employers Can Request Authorization to Post Logo

E-Verify employers can now request authorization from U.S. Citizenship and

Immigration Services to post the trademarked E-Verify logo on their websites, presentation materials, and brochures "to let everyone know they are committed to maintaining a legal workforce."

For more information or to apply, see the Trademark and Logo Usage Guidelines website at

<https://www.uscis.gov/e-verify/about-program/trademark-and-logo-usage-guidelines>. The guidelines and licensing agreement are at

<https://www.uscis.gov/sites/default/files/USCIS/Verification/E-Verify/everifytrademark.pdf>.

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5. **Firm In The News**

Cora-Ann V. Pestsaina published [The Government's "Nasty" Treatment Of Expert Opinions In Support Of H-1B Visa Petitions](#) on November 13, 2017.

Cyrus D. Mehta was a Speaker, *Attacks on Business Immigration*, AILA-NY Chapter Monthly Meeting, New York, NY, November 13, 2017

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