CYRUS D. MEHTA & PARTNERS PLLC
US IMMIGRATION & NATIONALITY LAW

IMMIGRATION UPDATE - JULY 1, 2019

Posted on July 1, 2019 by Cyrus Mehta

Headlines:

USCIS Expands 'FIRST' Digital FOIA System – USCIS said FIRST is the only system in the U.S. government that allows users to submit and track FOIA requests and receive documents digitally.

USCIS Extends Parole and Work Authorization for Certain CNMI Residents – USCIS will automatically extend parole, and employment authorization if applicable, for certain residents.

Acting CBP Commissioner To Step Down After Two Months – John Sanders, Acting Commissioner for U.S. Customs and Border Patrol (CBP), announced he is resigning effective July 5, 2019.

Don't Accept Restricted Social Security Cards for I-9 Verification, E-Verify Warns – E-Verify recently reminded employers not to accept restricted Social Security cards as List C documents on the I-9 work authorization verification form

Firm in the News...

Details:

Back to Top

USCIS Expands 'FIRST' Digital FOIA System

U.S. Citizenship and Immigration Services (USCIS) is expanding its digital Freedom of Information Act (FOIA) Immigration Records System, FIRST. USCIS said FIRST is the only system in the U.S. government that allows users to submit and track FOIA requests and receive documents digitally.

FOIA entitles every person access to certain information from the federal

government. FOIA requests can be critical in cases where the full picture of an applicant's history matters to the success of their immigration petition/application.

FOIA requestors with a USCIS online account can submit requests online for their own records. Soon, they will be able to submit online requests for non-A-file materials.

Details: USCIS announcement, https://www.uscis.gov/news/news-releases/uscis-expands-first-a-fully-digital-foia-system

Back to Top

USCIS Extends Parole and Work Authorization for Certain CNMI Residents

U.S. Citizenship and Immigration Services (USCIS) announced on June 28, 2019, that it will automatically extend parole (i.e., permission to lawfully remain), and employment authorization if applicable, for certain residents of the Commonwealth of the Northern Mariana Islands (CNMI). This extension of parole will provide relief while USCIS establishes procedures for obtaining the new CNMI Resident status created by the Northern Mariana Islands Long-Term Legal Residents Relief Act, signed by President Trump on June 25, 2019.

USCIS noted the following points:

- Parole for individuals under a previous CNMI categorical parole program expired on June 29, 2019. DHS automatically extended parole for those individuals without interruption through October 28, 2019. USCIS said this automatic extension of 120 days will provide an opportunity for individuals to submit a re-parole request.
- For parolees with an employment authorization document (EAD) expiring at the same time as their parole (June 29, 2019), USCIS is automatically extending their employment authorization through October 28, 2019.

Details: USCIS announcement, https://www.uscis.gov/news/alerts/northern-mariana-islands-long-term-legal-residents-relief-act-guidance-certain-individuals-present-commonwealth-northern-mariana-islands-cnmi

Back to Top

Acting CBP Commissioner To Step Down After Two Months

John Sanders, Acting Commissioner for U.S. Customs and Border Patrol (CBP), announced he is resigning effective July 5, 2019, after only two months on the job. He took on the role in April after Kevin McAleenan, former CBP Commissioner, became Acting Secretary of Homeland Security after Kirstjen Nielsen's departure. The announcement follows reports of substandard conditions for migrant children being held in detention.

Mr. Sanders reportedly is expected to be replaced by Mark Morgan, who has been directing U.S. Immigration and Customs Enforcement (ICE) for several months. He was formerly chief of the Border Patrol.

Details: News reports, https://www.usatoday.com/story/news/nation/2019/06/25/acting-customs-and-border-protection-commissioner-john-sanders-leaving/1559520001/; https://www.cnbc.com/2019/06/25/trump-acting-cbp-commissioner-john-sanders-resigns.html; https://www.axios.com/john-sanders-customs-border-protection-commissioner-resignation-ec1bc5f7-8d93-4544-a411-b28a32cbdf3d.html

Back to Top

Don't Accept Restricted Social Security Cards for I-9 Verification, E-Verify Warns

E-Verify recently reminded employers not to accept restricted Social Security cards as List C documents on the I-9 work authorization verification form. Form I-9 List C documents verify an employee's authorization to work.

Employers should not accept a restricted Social Security card that is stamped with one of the following:

- Valid for work only with DHS authorization
- Valid for work only with INS authorization
- Not valid for employment

Details: E-Verify announcement, https://content.govdelivery.com/accounts/USDHSCISEVERIFY/bulletins/24dfc6b; List C documents that establish employment authorization, https://www.uscis.gov/i-9-central/133-list-c-documents-establish-employment-authorization; Form I-9 acceptable documents,

https://www.uscis.gov/i-9-central/acceptable-documents/list-documents/form-i-9-acceptable-documents?topic_id=1&t=c

Firm in the News

Cyrus Mehta was Discussion Leader of a panel entitled *Federal District Court Litigation for the Immigration Practitioner: Part I – What You Need to Know Before You Go* at the 2019 American Immigration Lawyers Annual Conference, Orlando, FL, June 20, 2019.

Cyrus Mehta was quoted in a Forbes article dated June 20, 2019 **– *Attorneys Say Trump Lacks Legal Authority to Limit H-1B Visas for Indians*,** https://www.forbes.com/sites/stuartanderson/2019/06/20/attorneys-say-trump-lacks-legal-authority-to-limit-h-1b-visas-for-indians/#2260af1b71a2

David Isaacson was a speaker on a panel entitled *Post Denial Strategies: How to Get from No to Yes* at the 2019 American Immigration Lawyers Annual Conference, Orlando, FL, June 19, 2019.