



IMMIGRATION UPDATE - AUGUST 17, 2021

Posted on August 17, 2021 by Cyrus Mehta

Headlines:

[USCIS Expands Partnership With Social Security Administration](#) – Applicants filing for lawful permanent resident status can now apply for a Social Security number or replacement card as part of the adjustment of status application process.

[Visa Bulletin for September 2021 Released](#) – The bulletin notes, among other things, that the Worldwide employment-based preference limit for fiscal year 2021 is 262,288.

[USCIS Temporarily Extends Validity Period of Medical Exam and Vaccination Record Form](#) – The agency temporarily extended the validity period for medical exams from two years to four years due to COVID-19 pandemic-related delays in processing.

[USCIS Rescinds Guidance on Discretionary Work Authorization for Parolees](#) – The agency rescinded policy guidance in the *USCIS Policy Manual* on discretionary work authorization for noncitizens paroled into the United States.

[President Biden Appoints Tracey Jacobson to Lead Afghan Special Immigrant Evacuation Effort](#) – President Joe Biden has placed Ambassador Tracey Jacobson in charge of a "whole-of-government effort to process, transport, and relocate Afghan Special Immigrant Visa applicants and other Afghan allies." He said the United States is "working to evacuate thousands" of those who helped the United States, along with their families.

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USCIS Expands Partnership With Social Security Administration

Applicants filing for lawful permanent resident status can now apply for a Social Security number (SSN) or replacement card as part of the adjustment of status application process, U.S. Citizenship and Immigration Services (USCIS) announced. Previously, such an individual had to apply for the SSN at a Social Security office.

USCIS revised Form I-485, Application to Register Permanent Residence or Adjust Status, to include the additional questions needed to apply for an SSN or a replacement card.

Details:

- USCIS news release, Aug. 9, 2021, <https://www.uscis.gov/news/news-releases/uscis-expands-partnership-with-social-security-administration>
- Form I-485 (see Social Security questions #14-17 on page 2), <https://www.uscis.gov/sites/default/files/document/forms/i-485.pdf>

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Visa Bulletin for September 2021 Released

The Department of State's Visa Office released the Visa Bulletin for September 2021. The bulletin notes, among other things, that:

- The diversity visa (DV) category for September shows that all DV chargeability areas except those listed separately are Current.
- Because the EB-5 immigrant investor pilot program was extended only until June 30, 2021, no I5 or R5 visas may be issued overseas or final action taken on adjustment of status cases after that date. The final action dates for the I5 and R5 categories are "Unavailable" for September.
- The Worldwide employment-based preference limit for fiscal year 2021 is 262,288, which is much higher than the normal annual limit of 140,000 for employment-based green cards.
- In another positive development, the Employment-Based Third Preference Final Action Date for India advanced to January 1, 2014, which is where the Filing Date was in the December 2020 Visa Bulletin.

Details:

- Visa Bulletin, Dept. of State, Sept. 2021, <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin/2021/visa-bulletin-for-september-2021.html>

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USCIS Temporarily Extends Validity Period of Medical Exam and Vaccination Record Form

U.S. Citizenship and Immigration Services (USCIS) temporarily extended the validity period for Form I-693, Report of Medical Examination and Vaccination Record, from two years to four years due to COVID-19 pandemic-related delays in processing.

USCIS said it may consider a completed Form I-693 as valid if:

- The civil surgeon's signature is dated no more than 60 days before the applicant filed Form I-485, Application to Register Permanent Residence or Adjust Status;
- No more than four years have passed since the date of the civil surgeon's signature; and
- A decision on the applicant's Form I-485 is issued on or before September 30, 2021.
- USCIS also stated that it is on track to approve more employment-based adjustment of status applications than it has since FY 2005. "We have prioritized employment-based adjustment of status applications during every step of its processing and adjudication during this fiscal year. We continue to make processing and resource allocation decisions to increase the pace of adjudications and limit the potential for employment-based visa numbers to go unused."

Details:

- USCIS alert, Aug. 12, 2021, <https://www.uscis.gov/news/alerts/uscis-temporarily-extending-validity-period-of-form-i-693>

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USCIS Rescinds Guidance on Discretionary Work Authorization for Parolees

U.S. Citizenship and Immigration Services (USCIS) rescinded policy guidance in the *USCIS Policy Manual* on discretionary employment authorization for noncitizens paroled into the United States. The guidance was issued in 2019 in response to a presidential proclamation and related national emergency that were revoked and terminated, respectively, in 2021.

Details:

- USCIS policy alert, Aug. 12, 2021, <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20210812-EmploymentAuthorizationForParolees.pdf>

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President Biden Appoints Tracey Jacobson to Lead Afghan Special Immigrant Evacuation Effort

President Joe Biden announced on August 14, 2021, that he has placed Ambassador Tracey Jacobson in charge of a "whole-of-government effort to process, transport, and relocate Afghan Special Immigrant Visa applicants and other Afghan allies." He said the United States is "working to evacuate thousands" of Afghans who helped the United States, along with their families.

As of press time, the Taliban had overtaken much of Afghanistan and had begun moving into the capital, Kabul. Under "Operation Allies Refuge," the United States is working "quickly" to relocate eligible Afghans in danger of Taliban reprisals as the United States withdraws many troops from Afghanistan. President Biden authorized up to 5,000 troops to provide security while evacuations of U.S. personnel and SIV applicants continue. The program has been beset with delays, backlogs, and vetting issues. Almost 77,000 SIV Afghans have already come to the United States over the past 15 years, but thousands more remained in the pipeline in recent weeks.

U.S. Citizenship and Immigration Services (USCIS) is issuing Afghan special immigrant parolees a Form I-766, Employment Authorization Document, with a C11 parolee category, and a Form I-551, Permanent Resident Card, according to USCIS's Systematic Alien Verification for Entitlements. The International Rescue Committee and U.S. partner agencies are providing services for a group of Afghan SIV applicants relocating to Virginia, including reception, medical care,

case management, and resettlement by a sponsoring resettlement agency.

Details:

- Statement by President Biden, Aug. 14, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/08/14/statement-by-president-joe-biden-on-afghanistan/>
- Statement by President Biden, July 30, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/07/30/statement-of-president-joe-biden-on-the-arrival-of-the-first-flight-of-operation-allies-refuge/>
- Dept. of State SIV for Afghans page, <https://travel.state.gov/content/travel/en/us-visas/immigrate/special-imm-g-visa-afghans-employed-us-gov.html>
- "International Rescue Committee to Assist Afghan SIVs Relocated to United States," July 30, 2021, <https://www.rescue.org/press-release/international-rescue-committee-assist-afghan-sivs-relocated-united-states>
- "First Group of Afghan Interpreters Who Served With U.S. Troops Are On Their Way to a New Life in the U.S.," *USA Today*, July 30, 2021, <https://www.usatoday.com/story/news/politics/2021/07/30/afghan-interpreters-who-worked-troops-relocating-u-s-ahead-of-withdrawal/5414929001/>
- "U.S. Government Rush to Evacuate Afghan Allies and Allocate Sufficient Special Visas Comes at Eleventh Hour," Migration Policy Institute, July 27, 2021, <https://www.migrationpolicy.org/article/us-government-rush-evacuate-afghan-allies-allocate-special-visas>

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