



IMMIGRATION UPDATE - FEBRUARY 14, 2022

Posted on February 14, 2022 by Cyrus Mehta

Headlines:

[United States Once Again 'Welcomes' Immigrants: USCIS Announces New Mission Statement](#) – The new mission statement, with its emphasis on welcoming and respect, reflects USCIS's restoring of the agency's focus on services.

[USCIS Updates Guidance, Changes Maximum Validity Period for EADs for Certain Applicants](#) – USCIS said that increasing the maximum validity period for several categories "will help ease processing backlogs by reducing the frequency and number of times these applicants must renew their EADs and will help prevent gaps in employment authorization and documentation."

[USCIS Clarifies Guidance on Temporary Need Requirement for H-2B Workers in Guam and Northern Marianas](#) – USCIS clarified its guidance on how petitioners may demonstrate that they qualify for an exemption from the temporary need requirement for a nonimmigrant visa petition for a temporary nonagricultural H-2B worker on Guam and in the Commonwealth of the Northern Mariana Islands that falls under the Fiscal Year 2021 National Defense Authorization Act.

[New Lockbox Facility Opens in Illinois](#) – USCIS is beginning to transition incoming work for certain applicants to a new lockbox facility in Elgin, Illinois.

[DHS, VA Launch New Online Resources for Noncitizen Service Members, Veterans, and Families](#) – The Department of Homeland Security, in partnership with the Departments of Veterans Affairs and Defense, launched new online resources to support U.S. noncitizen service members, veterans, and their families.

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United States Once Again 'Welcomes' Immigrants: USCIS Announces New Mission Statement

U.S. Citizenship and Immigration Services (USCIS) announced a new mission statement after asking its employees to "submit words that they felt best illustrated the agency's work." The new mission statement reflects that feedback, along with Biden administration priorities and Director Ur Jaddou's "vision for an inclusive and accessible agency," USCIS said in a news release on February 9, 2022. The agency has 19,000 employees and contractors working at more than 200 offices worldwide.

The new mission statement says, "USCIS upholds America's promise as a nation of welcome and possibility with fairness, integrity, and respect for all we serve." The USCIS mission statement web page also lists and describes the agency's "core values," including integrity, respect, innovation, and vigilance.

The new mission statement, with its emphasis on welcoming and respect, reflects USCIS's restoring of the agency's focus on services. The revision is a shift away from the previous administration's changes emphasizing security and dropping the phrase, "America's promise as a nation of immigrants."

In a statement announcing the new mission statement, Director Jaddou said, "At its core, USCIS is about delivering decisions to families, businesses, workers, and those seeking refuge in our country on their applications, petitions, requests, and appeals. This new mission statement reflects the inclusive character of both our country and this agency."

The American Immigration Lawyers Association (AILA) "applauded" the new mission statement. Benjamin Johnson, AILA Executive Director, said the new statement "hopefully signals a return to a welcoming, service-driven USCIS that faithfully administers its statutory purpose with integrity."

Details:

- USCIS Mission and Core Values, Feb. 9, 2022, <https://www.uscis.gov/about-us/mission-and-core-values>
- USCIS news release, Feb. 9, 2022, <https://www.uscis.gov/newsroom/news-releases/uscis-announces-new-agency-mission-statement>

- AILA statement, Feb. 9, 2022,
<https://www.aila.org/advo-media/press-releases/2022/uscis-needs-to-give-meaning-to-the-words>

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USCIS Updates Guidance, Changes Maximum Validity Period for EADs for Certain Applicants

U.S. Citizenship and Immigration Services (USCIS) published updated policy guidance, effective February 7, 2022, that changes the maximum validity period that may be granted for employment authorization documents (EADs) issued to certain applicants, and provides general guidance on adjudicating Form I-765, Application for Employment Authorization.

USCIS is now generally granting new and renewed EADs valid for two years to applicants in the following categories:

- Admitted as a refugee (a)(3)
- Granted asylum (a)(5)
- Granted withholding of deportation or removal (a)(10)
- Violence Against Women Act self-petitioner (c)(31)

Additionally, USCIS is generally granting new and renewed EADs, up to the end of the parole or deferred action period, to applicants in the following categories:

- Paroled into the United States for urgent humanitarian reasons or significant public benefit (c)(11)
- Granted deferred action (non-DACA) (c)(14)

USCIS said that increasing the maximum validity period for these categories "will help ease processing backlogs by reducing the frequency and number of times these applicants must renew their EADs and will help prevent gaps in employment authorization and documentation."

New and renewed EADs issued for affected categories on or after February 7, 2022, will reflect the updated validity periods. EADs issued before February 7, 2022, are not affected. USCIS said it will continue to issue replacement EADs with the same validity date as the original EAD.

[Details:](#)

- USCIS alert, Feb. 7, 2022, <https://bit.ly/3uTjrjY>

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USCIS Clarifies Guidance on Temporary Need Requirement for H-2B Workers in Guam and Northern Marianas

U.S. Citizenship and Immigration Services (USCIS) clarified its guidance on how petitioners may demonstrate that they qualify for an exemption from the temporary need requirement for a nonimmigrant visa petition for a temporary nonagricultural H-2B worker on Guam and in the Commonwealth of the Northern Mariana Islands (CNMI) that falls under the Fiscal Year 2021 National Defense Authorization Act.

Specifically, the guidance clarifies how petitioners may demonstrate, depending on the facts presented in each case, that they qualify for the exemption based on contracts or subcontracts that are "supporting" or "adversely affected by" the military realignment on Guam and in the CNMI.

Details:

- USCIS alert, Feb. 8, 2022, <https://bit.ly/3lptphm>

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New Lockbox Facility Opens in Illinois

U.S. Citizenship and Immigration Services (USCIS) opened a new lockbox facility in Elgin, Illinois, and is "beginning to transition incoming work to the new location."

On February 1, 2022, USCIS added Elgin as a filing location for certain applicants Form I-751, Petition to Remove Conditions on Residence. In the coming weeks, the agency plans to move additional workloads to the Elgin lockbox, including certain applicants filing Form N-400, Application for Naturalization, and Form I-130, Petition for Alien Relative. The transition to Elgin is expected to be completed by late summer 2022.

USCIS said it also expects to move the lockbox facility in Arizona from Phoenix to Tempe in fall 2022.

Details:

- USCIS alert, Feb. 10, 2022,
<https://www.uscis.gov/newsroom/alerts/uscis-opens-a-new-lockbox-facility>
- USCIS Lockbox Filing Location Updates,
<https://www.uscis.gov/forms/forms-updates/lockbox-filing-location-updates>

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DHS, VA Launch New Online Resources for Noncitizen Service Members, Veterans, and Families

On February 7, 2022, the Department of Homeland Security (DHS), in partnership with the Departments of Veterans Affairs and Defense, launched new resources to support U.S. noncitizen service members, veterans, and their families. Through its Immigrant Military Members and Veterans Initiative (IMMVI), DHS said it will host a "one-stop online center to consolidate relevant federal resources." As part of the resource center, DHS has also created a portal for veterans who need assistance in applying to return to the United States or accessing VA benefits to which they may be entitled.

Details:

- DHS press release, Feb. 7, 2022,
<https://www.dhs.gov/news/2022/02/07/dhs-va-launch-new-online-services-noncitizen-service-members-veterans-and-their-families>
- "ImmVets: Services for Current and Former Immigrant Military Members and Their Families," <https://www.dhs.gov/immvets>

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Firm in the News

Cyrus Mehta was Program Chair of the Practising Law Institute's "Basic Immigration Law 2022: Business, Family, Naturalization and Related Areas" on February 3, 2022. The webcast of this program can be accessed at <https://www.pli.edu/programs/B/basic-immigration-law>

Mr. Mehta was Program Chair of the Practising Law Institute's "Asylum, Special Immigrant Juvenile Status, Crime Victim and Other Immigration Relief 2022" on February 4, 2022. The webcast of this program can be accessed at

<https://www.pli.edu/programs/asylum-special-immigrant-juvenile-status-crime-victim-and-other-immigration-relief>

Mr. Mehta was a speaker at the AILA Washington Chapter Ethics CLE on February 10, 2022.

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