



IMMIGRATION UPDATE - JUNE 12, 2023

Posted on June 12, 2023 by Cyrus Mehta

Headlines:

July [Visa Bulletin Shows EB-3 Final Action Date Retrogressions for Multiple Countries](#) – Retrogressions have been necessary for the employment-based third preference (EB-3) category for India, Mexico, Philippines, and Rest of World.

[DHS Updates Guidance on Parole Periods, Work Authorization for Certain Afghan and Ukrainian Parolees](#) – The Department of Homeland Security has released updated guidance on parole periods and employment authorization for certain Afghan and Ukrainian parolees.

[Certain Individuals Requesting Parole Can Now File Applications for Travel Documents Online](#) – U.S. Citizenship and Immigration Services announced that certain individuals requesting parole based on urgent humanitarian reasons or significant public benefit can file Form I-131, Application for Travel Document, online.

[Lockbox Filing Location Webpage Expanded to Include Service Center Filing Location Updates](#) – U.S. Citizenship and Immigration Services has updated the Lockbox Filing Location Updates page on its website to include service center filing location updates.

[Passport, Visa Issuances Surge, State Dept. Takes 'Extraordinary Measures': House Hearing](#) – At a hearing on June 7, 2023, of the House Subcommittee on Oversight and Accountability, Rena Bitter, Assistant Secretary of State for the Bureau of Consular Affairs, said the Bureau and the Department of State have taken "extraordinary measures" to meet current U.S. passport and visa demand.

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July Visa Bulletin Shows EB-3 Final Action Date Retrogressions for Multiple Countries

The Department of State's Visa Bulletin for July notes that due to high demand, retrogressions have been necessary for the employment-based third preference (EB-3) category for India, Mexico, Philippines, and Rest of World. The Rest of World, Mexico, and Philippines EB-3 final action dates have retrogressed to 01FEB22. EB-3 applicants from India are subject to a final action date of 01JAN09.

Details:

- of State Visa Bulletin (July 2023).
<https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin/2023/visa-bulletin-for-july-2023.html>

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DHS Updates Guidance on Parole Periods, Work Authorization for Certain Afghan and Ukrainian Parolees

The Department of Homeland Security (DHS) has released updated guidance on parole periods and employment authorization for certain Afghan and Ukrainian parolees:

Extension of Parole Period

Effective June 9, 2023, through July 31, 2024, DHS will consider, on a case-by-case basis for urgent humanitarian reasons or significant public benefit, a two-year extension of the original parole period for Afghan parolees who have already applied for asylum or for adjustment to lawful permanent resident (LPR) status (such as adjustment of status as a special immigrant). These Afghan parolees who have already applied for asylum or LPR status do not need to apply for re-parole. If approved, USCIS will extend their original employment authorization and send a Form I-797C, Notice of Additional Action, to their last address of record with USCIS. If these Afghan parolees require an updated Employment Authorization Document (EAD) in addition to the Form I-797C, they may file a fee-exempt [Form I-765, Application for Employment Authorization](#), with USCIS under category (c)(11).

Employment Authorization Incident to Parole

Also, effective June 8, 2023, certain additional Afghan and Ukrainian parolees are work authorized incident to parole, including:

- Afghan parolees whose unexpired Form I-94 contains a class of admission of "OAR" or "PAR" and indicates Afghanistan as the country of citizenship on the document. Eligible Afghan parolees paroled into the United States on or after July 31, 2021, who did not receive an "OAR" or "PAR" class of admission on their Forms I-94 should email U.S. Customs and Border Protection (CBP) at oawi94adjustments@cbp.dhs.gov to update their class of admission, if appropriate;
- Ukrainian parolees whose unexpired Form I-94 contains a class of admission of "UHP"; and
- Ukrainian parolees whose unexpired Form I-94 contains a class of admission of "DT" issued between February 24, 2022, and September 30, 2023, and indicates Ukraine as the country of citizenship on the document.

For these parolees, DHS said, their unexpired Form I-94 is an acceptable receipt they may present to their employer to show their identity and employment authorization for the purposes of Form I-9 employment eligibility verification. This satisfies the Form I-9 requirement for up to 90 days from the date of hire (or in the case of reverification, the date employment authorization expires), DHS said.

Details:

- "Applications for Re-Parole and Work Authorization Renewal Are Fee-Exempt for Certain Afghan Nationals," USCIS alert (June 9, 2023).
<https://www.uscis.gov/newsroom/alerts/applications-for-re-parole-and-work-authorization-renewal-are-fee-exempt-for-certain-afghan>
- "Certain Afghan Parolees Are Employment Authorized Incident to Parole," USCIS alert (June 8, 2023).
<https://www.uscis.gov/newsroom/alerts/certain-afghan-parolees-are-employment-authorized-incident-to-parole>

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Certain Individuals Requesting Parole Can Now File Applications for Travel Documents Online

U.S. Citizenship and Immigration Services (USCIS) announced on June 9, 2023, that certain individuals requesting parole based on urgent humanitarian reasons or significant public benefit can file [Form I-131, Application for Travel Document](#), online.

The following individuals are eligible to file Form I-131 online:

- Individuals requesting parole based on urgent humanitarian reasons or significant public benefit for an individual outside the United States (under application types 1.e. or 1.f. on the paper Form I-131) who are not seeking initial parole under a USCIS family reunification parole process (i.e., under the Cuban Family, Haitian Family, or Filipino World War II Veterans Parole Programs); or
- Individuals already paroled inside the United States who are requesting a new period of parole, or re-parole (under application types 1.e. or 1.f. on the paper Form I-131), to remain in the United States.

USCIS said it will deny applications and not refund fees paid for those who file Forms I-131 online but are not eligible to do so.

Details:

- USCIS alert (June 9, 2023).
<https://www.uscis.gov/newsroom/alerts/certain-individuals-requesting-parole-can-now-file-form-i-131-online>

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Lockbox Filing Location Webpage Expanded to Include Service Center Filing Location Updates

U.S. Citizenship and Immigration Services (USCIS) has updated the Lockbox Filing Location Updates page on its website to include service center filing location updates.

USCIS explained that it sometimes changes or adjusts filing locations among its service centers or lockbox facilities "to balance our incoming workload for timely processing. We may also refine filing addresses to improve internal processes at our service centers or lockbox facilities. Please note that the new

filing location may not be where your case is adjudicated."

To receive updates on these filing location changes, users can [subscribe](#) to the "[Lockbox and Service Center Filing Location Updates](#)" GovDelivery distribution list to receive an email each time USCIS updates a filing location.

Details:

- USCIS alert (June 6, 2023).
<https://www.uscis.gov/newsroom/alerts/lockbox-filing-location-updates-w-ebpage-expanded-to-include-service-center-filing-location-updates>

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Passport, Visa Issuances Surge, State Dept. Takes 'Extraordinary Measures': House Hearing

At a hearing on June 7, 2023, of the House Subcommittee on Oversight and Accountability, Rena Bitter, Assistant Secretary of State for the Bureau of Consular Affairs, said the Bureau and the Department of State have taken "extraordinary measures" to meet current U.S. passport and visa demand. Those measures include authorizing 30,000 to 40,000 overtime hours per month; moving personnel to Washington, DC; and hiring more adjudicative staff. The Bureau is requesting almost \$100 million to fill pandemic-related vacancies and add nearly 300 new positions, she said.

Ms. Bitter said current routine passport processing time is 10 to 13 weeks. The Bureau also is "experiencing pent-up demand for U.S. visas resulting from the near shutdown of international travel" during the pandemic.

Forty-six percent of Americans have passports, up from 30 percent in 2008, she said. On the inbound travel side, she noted, in addition to the citizens of more than 40 visa waiver countries, potential travelers to the United States hold more than 49 million valid visitor visas and border crossing cards. "In fact, more foreign visitors have the ability to travel to the United States today than at any time in our history," she noted. In fiscal year 2022, the Bureau issued a record 22 million passport books and cards. She also noted that the Next Generation Passport, which was rolled out in 2022, "uses new technologies to produce a more robust passport with enhanced security features, such as a polycarbonate data page, laser-engraved personalization, and updated artwork."

Details:

- Written statement of Rena Bitter (June 7, 2023).
<https://docs.house.gov/meetings/FA/FA17/20230607/116028/HHRG-118-FA17-Wstate-BitterR-20230607.pdf>

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