



IMMIGRATION UPDATE - OCTOBER 09, 2023

Posted on October 9, 2023 by Cyrus Mehta

INSIDE THIS ISSUE

[USCIS Reminds Employers to Start Using New Form I-9 by November 1](#)

[Deadline](#) – U.S. Citizenship and Immigration Services (USCIS) reminded employers about the November 1, 2023, deadline for using the updated I-9 form with the 08/01/2023 edition date, and the Spanish version.

[DOS Publishes DV-2025 Instructions, List of Countries](#) – On October 3, 2023, the Department of State published instructions and eligibility requirements for the Diversity Visa (DV) program for fiscal year 2025 (DV-2025). The online registration period for the DV-2025 diversity visa program concludes on Tuesday, November 7, 2023, at 12 noon ET.

[DOS Restores Previous Version of Regulation Governing Public Charge](#)

[Grounds of Visa Ineligibility](#) – The Department of State announced that its regulation governing the public charge grounds of visa ineligibility has been restored to the version that was in place before October 11, 2019.

[U.S. to Resume Direct Repatriation of Venezuelans Without Authorization](#)

– The Department of Homeland Security announced that it "will resume direct repatriations of Venezuelan nationals who cross our border unlawfully and do not establish a legal basis to remain."

[DHS to Extend and Redesignate Cameroon for Temporary Protected](#)

[Status](#) – The Department of Homeland Security will extend and redesignate Cameroon for Temporary Protected Status for 18 months, beginning on December 8, 2023, and ending on June 7, 2025.

[DOS Announces U.S. Passport Processing Times, Tips](#)

– The Department of State announced that U.S. passport processing times have fluctuated several

times in 2023. As of October 2, 2023, routine applications were being processed in eight to 11 weeks, and expedited applications in five to seven weeks, not including mailing time.

Details:

USCIS Reminds Employers to Start Using New Form I-9 by November 1 Deadline

U.S. Citizenship and Immigration Services (USCIS) reminded employers about the November 1, 2023, deadline for using the updated [Form I-9, Employment Eligibility Verification](#) with the 08/01/2023 edition date.

USCIS also noted that a revised [Spanish edition of Form I-9](#) with an edition date of 08/01/2023 is available for use in Puerto Rico only and by other employers as a translation aid.

Details:

- [USCIS notice](#) (Oct. 5, 2023).

[Back to Top](#)

DOS Publishes DV-2025 Instructions, List of Countries

On October 3, 2023, the Department of State (DOS) published instructions and eligibility requirements for the Diversity Visa (DV) program for fiscal year (FY) 2025 (DV-2025). The online registration period for the DV-2025 diversity visa program began on Wednesday, October 4, 2023, and concludes on Tuesday, November 7, 2023, at 12 noon ET.

For FY 2025, up to 55,000 DVs will be available. The Electronic Diversity Visa Entry Form (E-DV Entry Form or DS-5501) is available online at dvprogram.state.gov. DOS will not accept incomplete entries or entries sent by any other means. There is no cost to register for the DV program, but selectees who are scheduled for an interview must pay a visa application fee before making their formal visa application where a consular officer will determine whether they qualify for the visa. DOS determines selectees through a randomized computer drawing.

Except for the United Kingdom and its dependent territories, which are now eligible for the DV-2025 program, there were no changes in eligibility from the previous fiscal year. For DV-2025, natives of the following countries and areas

are not eligible to apply, because more than 50,000 natives of these countries immigrated to the United States in the previous five years: Bangladesh, Brazil, Canada, The People's Republic of China (including mainland and Hong Kong born), Colombia, Dominican Republic, El Salvador, Haiti, Honduras, India, Jamaica, Mexico, Nigeria, Pakistan, Philippines, Republic of Korea (South Korea), Venezuela, and Vietnam. Natives of Macau SAR and Taiwan are eligible.

Details:

- [Diversity Visa Instructions for DV-2025](#), 88 Fed. Reg. 68261 (Oct. 3, 2023).

[Back to Top](#)

DOS Restores Previous Version of Regulation Governing Public Charge Grounds of Visa Ineligibility

The Department of State (DOS) announced on October 6, 2023, that its regulation governing the public charge grounds of visa ineligibility has been restored to the version that was in place before October 11, 2019.

On October 11, 2019, DOS published an interim final rule (IFR) that substantially revised the regulations governing the grounds. The IFR was enjoined by the District Court for the Southern District of New York on July 29, 2020, DOS explained. Since that time, the agency has used *Foreign Affairs Manual (FAM)* guidance that was in place before publication of the IFR.

"The IFR was intended to align with the standards then applied by the U.S. Department of Homeland Security (DHS) to determine inadmissibility on public charge grounds. In 2022, DHS published a new Final Rule. As such, the IFR no longer meets the policy aim of consistency with DHS standards. In reverting to regulatory text that was in place prior to the publication of the IFR, the Department is again more closely aligned with the current DHS standards," DOS explained.

Details:

- [DOS news release](#) (Oct. 6, 2023).

[Back to Top](#)

U.S. to Resume Direct Repatriation of Venezuelans Without Authorization

The Department of Homeland Security (DHS) announced on October 5, 2023, that it "will resume direct repatriations of Venezuelan nationals who cross our border unlawfully and do not establish a legal basis to remain."

DHS said this announcement "follows a decision by authorities from Venezuela to accept the return of Venezuelan nationals, as well as high-level discussions yesterday in Mexico City between the United States, Mexico, Colombia, and Panama where Secretary of State Antony Blinken, Secretary of Homeland Security Alejandro N. Mayorkas, and Homeland Security Advisor Liz Sherwood-Randall discussed ongoing coordinated efforts to address irregular migration in the Western Hemisphere."

Details:

- [DHS press release](#) (Oct. 5, 2023).

[Back to Top](#)

DHS to Extend and Redesignate Cameroon for Temporary Protected Status

The Department of Homeland Security (DHS) will extend and redesignate Cameroon for Temporary Protected Status (TPS) for 18 months, beginning on December 8, 2023, and ending on June 7, 2025.

Existing TPS beneficiaries who wish to extend their status through June 7, 2025, must re-register during the 60-day re-registration period, which is expected to begin on October 10, 2023. The redesignation of Cameroon also allows additional Cameroonian nationals (and individuals having no nationality who last habitually resided in Cameroon) who have been continuously residing in the United States since October 5, 2023, to apply for TPS for the first time during the initial registration period, which is expected to begin on October 10, 2023.

DHS said, "It is important for re-registrants to timely re-register during the registration period and not to wait until their Employment Authorization Documents (EADs) expire, as delaying re-registration could result in gaps in their employment authorization documentation."

Details:

- DHS Extension and Redesignation of Cameroon for Temporary Protected Status ([advance copy](#)).

[Back to Top](#)

DOS Announces U.S. Passport Processing Times, Tips

The Department of State (DOS) [announced](#) that U.S. passport processing times have fluctuated several times in 2023. As of October 2, 2023, routine applications were being processed in eight to 11 weeks, and expedited applications in five to seven weeks. Processing times do not include mailing time.

DOS said that between October 2022 and September 2023, DOS issued more than 24 million passport books and cards, the most in U.S. history. DOS encourages applicants to [check the status of their passport application](#) and sign up for updates via email.

DOS also released the following [tips for U.S. passport applicants](#):

1. If you're [renewing your application](#), submit your most recent passport with your application. Sign and date Form DS-82.
2. Complete all sections of your form including entering your correct Social Security number. Do not leave anything blank. If you're applying for the first time or with your child under age 16, wait to sign the form until you are instructed to do so. If you're renewing by mail, sign and date the form on your own.
3. Closely follow the [passport photo requirements](#).
4. Provide [evidence of U.S. citizenship](#).
5. If your current name is not the same as the name on your most recent passport, include your name change document (such as marriage certificate, divorce decree, or court order).

[Back to Top](#)