



SISKIND SUSSER

IMMIGRATION LAWYERS



Siskind's Immigration Bulletin



Openers



Dear Readers:

This final issue of 2021 brings a mix of news on the immigration front. Hope for passing major immigration reform via the Build Back Better plan were dealt a double blow this month when the Senate Parliamentarian opined that immigration didn't belong in the bill and a few days later Senator Joe Manchin (D-WV) announced he would oppose the larger bill, effectively stopping it in its tracks. It is possible the bill will be revived in a form acceptable to Senator Manchin, but at



Greg Siskind

this point, it all seems unlikely. But the news was not all bleak. Several recent news items show immigration agencies starting to take measures to improve a poorly functioning immigration service –

1. USCIS recognizing (albeit as a result of litigation) that spouses of E-2 and L-1 nonimmigrants are authorized to work incident to status and won't need work authorization documents to work legally;
2. The State Department modifying the Foreign Affairs Manual to make it easier for F-1 students to demonstrate nonimmigrant intent;
3. USCIS issuing guidance making it easier for health care workers seeking EAD extensions to have processing expedited;
4. USCIS sending a rule to the Office of Management and Budget to usher in premium processing for new categories; and
5. The State Department announcing that it will waive interviews for various nonimmigrant visa categories including H-1B visas.

This is not to say that all is well.

Processing times are still unacceptably long and various anti-immigration policies from the prior Administration are still being pursued. But it does seem that some of the policies we were expecting months ago are starting to be announced. Hopefully, that trend will continue in the new year.

As our firm enters its 28th year in 2022, we wanted to express our gratitude to our clients and friends of the firm. We wish you all a happy, healthy and prosperous new year!

Sincerely,

Greg Siskind





Siskind Susser News



2021 MidSouth Super Lawyers

Firm partners Greg Siskind and Ari Sauer have been named as 2021 Super Lawyers. Firm attorneys Jason Susser and Adam Cohen have been listed as Rising Stars. We are so proud of all our attorneys and what they've accomplished in this year!

[Read more](#)

- [Liu V. Mayrokas Goes Forward](#)
 - [The Truth About Green Card Recapture](#)
 - Learn more about our latest lawsuit: [FAQ: Visa/SEVIS Fee Litigation](#)
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News Bytes

challenging multiple registration for single H-1B worker stands denied

US District Judge Trevor N. McFadden has denied a motion by the US Department of Homeland Security (DHS) to dismiss a lawsuit, that had challenged the existing procedure which enables multiple H-1B registrations to be filed for the same individual. This procedure, gives him or her a better chance of being selected in the lottery.

[Read more](#)

- [New York City becomes the largest municipality in the U.S. to allow non-citizen residents to vote in local elections](#)
- [Rep. Banks Introduces GOP Bill to Curb Fortune 500's Use of Visa Workers](#)
- [Congress Provides Crucial Funding for Afghan Refugees](#)
- [Immigration Agency in Line for Billions in Fees in Spending Bill](#)
- [Declining Demographic of Foreign-Born Population in the U.S.](#)
- [Policy Update: Liberian Refugee Immigration Fairness \(LRIF\)](#)



Border & Enforcement News

- [H-1B Visa Rule About To Die For Good](#)
- [Diversity Visa 2022 Update](#)
- [USCIS Temporarily Waiving 60-Day Rule for Civil Surgeon Signatures](#)
- [Refugee Aid Groups in Washington Overwhelmed](#)
- [Rohingya refugees sue Facebook for \\$150B](#)
- [Pope Francis Visits Lesbos, Calls for Migrant Protection](#)

In the News From ABIL

Biden Administration Increases Travel Restrictions in Response to New 'Omicron' Coronavirus Variant

In a rapidly developing situation, following new travel bans imposed on several countries, the Biden administration announced additional measures, effective December 6, 2021, including a requirement that inbound international passengers take a COVID-19 viral test within a day of their departure, regardless of their vaccination status, and an extension of a mask requirement on domestic flights and public transportation—including buses, trains, planes, bus terminals, and airports—through March 18, 2021.

More News:

- Stopgap Funding Bill Averts Government Shutdown, Includes Immigration Provisions
- Following Court Order, U.S., Mexico Announce Return to 'Remain in Mexico' Policy for Asylum Seekers
- Labor Dept. Proposes Revising Adverse Effect Wage Rate Methodology for H-2A Non-Range Occupations
- Travel Bans Imposed Quickly in Response to New 'Omicron' Coronavirus Variant
- USCIS Will Issue Refunds for Certain U Petitioners Who Submitted Work Authorization Applications; Some Rejected Applicants Can Resubmit
- USCIS Incorporates General Adjudications Guidance Into Policy Manual
- Build Back Better Act, Passed in House, Includes Immigration Provisions; Senate's Next
- USCIS Conducts Third Random Selection From Previously Submitted FY 2022 H-1B Cap Registrations

On the Blog

[Siskind Susser COVID-19 Blog](#)

[Greg Siskind's Blog](#)

[Weekly Immigration Law Calls](#)

For a complete list of new blog posts [click here](#).

State Department Visa Bulletin

Visa Bulletin

To view the January 2022 Visa Bulletin from the State Department: [click here](#).

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