

**PUBLICATION UPDATE**

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# Bender’s Immigration Regulations Service

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Publication 695      Release 256      August 2023

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**HIGHLIGHTS**

**DEVELOPMENTS**

- Release 256 of Bender’s Immigration Regulations Service includes regulatory changes published in the Federal Register from January 31, 2023 through May 9, 2023.
- The release updates the Poverty Guidelines and lists of countries whose nationals may be eligible for hardship waivers of F-1 work guidelines. It adds information about deferred enforced departure (DED). And it incorporates final rules, interim final rules, and temporary final rules relating to asylum interpreters, visas, consular fees, the U.S.-Canada Safe Third Country Agreement, Adverse Effect Wage Rates, and exchange visitors.

- Release 256 updates the

regulations in light of the following final and temporary rules: DHS’s *Asylum Interview Interpreter Requirement Modification Due to COVID-19*, 88 FR 16372–78 (March 17, 2023, effective March 16 through September 12, 2023). Affected is 8 CFR § 208.9.

- DOL’s *Adverse Effect Wage Rate Methodology for the Temporary Employment of H-2A Nonimmigrants in Non-Range Occupations in the United States*, 88 FR 12760–802 (Feb, 28, 2023, effective Mar. 30, 2023), re-

vising 20 CFR §§ 655.103 and 655.120.

- DOS’s *Exchange Visitor Program—General Provisions*, 88 FR 18249–52, amending 22 CFR § 62.12 (“Control of Forms DS-2019”); *Schedule of Fees for Consular Services—Nonimmigrant and Special Visa Fees*, 88 FR 18243–48 (Mar. 28, 2023, eff. May 30, 2023), which increases four fees in 22 C.F.R. § 22.1; and *Visas: Procedures for Issuing Visas*, 88 FR 13694–96 (Mar. 6, 2023, eff. Apr. 5, 2023), affecting 22 CFR §§ 41.105 and 42.65, both regarding photographs.
- DHS and DOJ’s *Implementation of the 2022 Additional Protocol to the 2002*

*U.S.-Canada Agreement for Cooperation in the Examination of Refugee Status Claims From Nationals of Third Countries*, 88 FR 18227–41 (Mar. 28, 2023, effective Mar. 25, 2023), as corrected by 88 FR 23329–30 (April 17, 2023, applicable as of March 25, 2023). The amendments affected 8 CFR §§ 208.30, 1003.42, and 1240.11.

Also updated are:

- the Poverty Guidelines in Title 42 and
- 8 CFR § 214.2’s list of countries whose F-1 students may receive emergency work authorization.

References to the USCIS website listing countries whose nationals may receive TPS or DED are added in 8 CFR Parts 244, 1244, and 1245.

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Publication 695 Release 256

August 2023

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