

PUBLICATION UPDATE

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Bender's Immigration Regulations Service

Publication 695 Release 178 September 2007

HIGHLIGHTS

Recent changes

- With this release you are receiving all recent changes to the immigration-related regulations, through August 31, 2007, incorporated into the body of the text for handy reference. Recent changes include the DHS Safe-Harbor Procedures for Employers Who Receive a No-Match Letter (72 FR 45611, Aug. 15, 2007); DHS Removal of Temporary Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule (72 FR 46142, Aug. 17, 2007); DOS Amendment to Passport Surcharge (72 FR 45636, Aug. 15, 2007); DOS Amendment to Expedited Passport Processing (72 FR 45888, Aug. 16, 2007). See below for more information.

describes the legal obligations of an employer, under current immigration law, when the employer receives a no-match letter from the Social Security Administration or receives a letter regarding employment verification forms from the Department of Homeland Security. It also describes “safe-harbor” procedures that the employer can follow in response to such a letter and thereby be certain that the Department of Homeland Security will not use the letter as any part of an allegation that the employer had constructive knowledge that the employee referred to in the letter was an alien not authorized to work in the United States. The final rule adds two more examples to the current regulation’s definition of “knowing” to illustrate situations that may lead to a finding that an employer had such constructive knowledge.

DHS Safe-Harbor Procedures for Employers Who Receive a No-Match Letter. In Volume 1, see 8 CFR § 274a.1(i), which as amended by final rule, 72 FR 45611, Aug. 15, 2007. The amended regulation

DHS Removal of Temporary Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule. In Volume 1, see 8 CFR § 103.7(b)(1), as amended by 72 FR 41888, Aug. 1, 2007; 72 FR 46142, Aug. 17, 2007.

The amendment of Aug. 1, 2007, was a temporary adjustment to the fees for filing Form I-131, Form I-485, and Form I-765, and the biometric fee in relation to those applications, where filed pursuant to U.S. Department of State Visa Bulletin No. 107, and filed with USCIS on or after July 30, 2007, and on or before August 17, 2007. The amendment of Aug. 17, 2007, removed the temporary adjustment, the applicable time period having expired.

DOS Amendment to Passport Surcharge. In Volume 2, see 22 CFR § 51.61(b), as amended by interim final rule, 72 FR 45636, Aug. 15, 2007.

DOS Amendment to Expedited Passport Processing. In Volume 2, see 22 CFR

§ 22.1, item 3, Expedited Service, and 22 CFR § 51.66(b), as amended by interim final rule, 72 FR 45888, Aug. 16, 2007.

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BENDER'S IMMIGRATION REGULATIONS SERVICE

Publication 695 Release 178

September 2007

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THIS RELEASE 178 IS THE NEXT RELEASE TO FOLLOW AFTER RELEASE 176. THERE WAS NO RELEASE 177 BECAUSE THERE WERE NO REGULATORY CHANGES OCCURRING DURING THE PUBLICATION CYCLE FOR THAT RELEASE. THE TITLE PAGE IN YOUR VOLUME 1 SHOULD INDICATE THAT YOUR SET IS FILED THROUGH RELEASE NUMBER 176.

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