

PUBLICATION UPDATE

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Bender's Immigration Regulations Service

Publication 695 Release 185

April 2008

HIGHLIGHTS

RECENT CHANGES

- This release includes recent changes to the regulations published in the Federal Register through April 2, 2008.

VOLUME 1

DHS Regulations

- **8 CFR 214.2—Special Requirements for admission, extension, and maintenance of status.** This section was amended by DHS interim rule, 73 FR 15389, Mar. 24, 2008. The amendment added a new paragraph (h)(2)(i)(G) and revised paragraphs (h)(8)(i)(A), (ii)(B), and (ii)(D). The interim rule precludes a petitioner from filing more than one H-1B petition on behalf of the same alien temporary worker in a fiscal year if the alien is subject to a numerical limitation or is exempt from a numerical limitation by virtue of having a master's or higher U.S. degree. The rule also makes accommodations for petitioners seeking to file petitions on the first day that filings will be accepted for

the next fiscal year on behalf of alien workers subject to the annual numerical limitation or master's or higher U.S. degree holders exempt from this limitation. In addition, the rule clarifies treatment of H nonimmigrant petitions incorrectly claiming exemption from the numerical limitations. Finally, the rule removes from the regulations unnecessary language regarding the annual numerical limitation applicable to the H-1B nonimmigrant classification.

- **8 CFR § 270.3—Penalties.** This section was amended by DHS final rule (73 FR 10130, Feb. 26, 2008) to make inflation adjustments for civil monetary penalties under INA §§ 274A, 274B, and 274C. The final rule was issued jointly with a final rule of DOJ making similar amendments to its regulations, which are also included in this release (see below).

VOLUME 2

DOS Regulations

- **Visa Classification Symbols (22 CFR §§ 41.12 & 42.11.** These sections, which consist of table listings of visa classification sym-

bols, were amended by DOS final rule (73 FR 14926, March 20, 2008) to implement legislation that has created additional immigrant and nonimmigrant classifications.

- **Procedure for notifying beneficiary of immigrant visa petition of termination of registration because of failure to pursue application within specified time.** 22 CFR § 42.83(c) was amended by DOS final rule (73 FR 11027, Feb. 29, 2008). As noted in the preamble to the final rule, the amendment provides that the notification will be made by National Visa Center directly to the beneficiary.

DOJ Regulations

- **28 CFR § 68.52—Final order of the Administrative Law Judge.** This section was amended by DHS final rule (73 FR 10130, Feb. 26, 2008) to make inflation adjust-

ments for civil monetary penalties under INA §§ 274A, 274B, and 274C. The final rule was issued jointly with a final rule of DHS making similar amendments to its regulations, which are also included in this release (see above).

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Publication 695 Release 185

April 2008

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