

PUBLICATION UPDATE

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# Bender's Immigration Regulations Service

Publication 695 Release 198

May 2009

## HIGHLIGHTS

### INCLUDED IN THIS RELEASE

- Release 198 includes regulatory changes published in the Federal Register as of the issue dated May 6, 2009.

**8 CFR—Chapter V, Department of Homeland Security Regulations (contained in Volume 1)**

**8 CFR Part 208—Procedures for Asylum and Withholding of Removal**

**Forwarding of Affirmative Asylum Applications to the Department of State.** Revised in its entirety is *8 CFR § 208.11, Comments from the Department of State* (DHS-USCIS final rule, 74 FR 15387, April 6, 2009). The agency notes in the preamble that the revised rule provides that USCIS will no longer forward all affirmative asylum applications to DOS. Instead, USCIS will send affirmative asylum applications to DOS only when USCIS believes DOS may have country conditions information relevant to the case. The preamble

notes also that this change will increase the efficiency of DOS's review of asylum applications.

**22 CFR—Department of State Regulations (contained in Volume 2)**

**22 CFR Part 62**

**Exchange Visitor Program—Au Pairs (Repeat Participation).** Revisions to *22 CFR § 62.31* that were made by interim rule published at 73 FR 34861, June 19, 2008, were adopted as final without change by final rule published at 74 FR 15844, April 8, 2009. The preamble notes that this was a revision of existing regulations, permitting qualified au pairs to participate again in the au pair program after completing a period of at least two years of residency outside the United States following the end date of his or her initial exchange visitor program.

**20 CFR—Department of Labor Regulations (contained in Volume 2)**

**20 CFR Part 655**

**Temporary Agricultural Employment**

**of H-2A Aliens in the United States.** Revisions were made to subsection (b) of 20 CFR § 655.100, *Overview of subpart B and definition of terms*, at 74 FR 17597, April 16, 2009. The revisions, as noted in the preamble, were made to extend the transition period of the application filing procedures currently in effect for all H-2A employers with a date of need on or before July 1, 2009, as established in the H-2A Final Rule published on December 18, 2008 and in effect as of January 17, 2009. The transition period is extended to include all employers with a date of need on or

before January 1, 2010.

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Publication 695    Release 198

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