

PUBLICATION UPDATE

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Bender's Immigration Regulations Service

Publication 695 Release 223 November 2013

HIGHLIGHTS

Regulatory Changes

- Release No. 223 includes regulatory changes published in the Federal Register as of September 24, 2013. See below for details of regulatory changes included in this release.

8 CFR (Volume 1)

Extension of Border Zone in the State of New Mexico. 8 CFR § 235.1 (Scope of examination) was amended by DHS-CBP final rule published at 78 FR 35103, June 12, 2013. CBP states that the change is intended to promote commerce and tourism in southern New Mexico while still ensuring that sufficient safeguards are in place to prevent illegal entry to the United States.

Extension of Employment Authorization for Syrian F-1 Nonimmigrant Students Experiencing Severe Economic Hardship as a Direct Result of Civil Unrest in Syria Since March 2011. This authorization was extended for 18 months, from October 3, 2013 through March 31,

2015. Notation has been made in the footnote at 8 CFR § 214.2(f)(9).

Corrections to Title 8 CFR revised as of January 1, 2013. A number of corrections to print errors in Title 8 of the official Code of Federal Regulations were made at 78 FR 42863, July 18, 2013. These errors did not occur in the text of Bender's Immigration Regulations Service. However, to insure completeness of historical information, explanatory entries have been made in the histories of the sections affected. The affected sections were 8 CFR §§ 208.13, 245.15, 1003.108, and 1208.13.

DOS Regulations (Volume 2)

Adoptions in countries party to the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption. 22 CFR § 42.24(n)(2) was amended by DOS final rule published at 78 FR 32989, June 3, 2013. The amendment was made to include a new adoption provision from the International Adoption Simplification Act. The legislation provides for sibling adoption to include certain children who are under the

age of 18 at the time the petition for immediate relative is filed on their behalf, and also certain children who attained the age of 18 on or after April 1, 2008 and who are the beneficiaries of a petition filed on or before November 30, 2012.

Classification of Immediate Family Members as G Nonimmigrants. DOS final rule published at 78 FR 33699, June 5, 2013, amended 22 CFR §§ 41.22 (Officials of foreign governments) and 41.24 (International organization aliens). The final rule permits members of A-1 or A-2 nonimmigrants to be independently classified as G-1, G-2, G-3, or G-4 nonimmigrants. It also clarifies that immediate family members of G-1, G-2, G-3, and G-4 nonimmigrants who have employment authorization may remain in G classification upon gaining employment that would otherwise allow them to change status to A classification. The rule was promulgated to allow

family members of employees of bilateral missions to work at international organizations in a visa status that reflects their position with the international organization.

DOL Regulations (Volume 2)

Indefinite Delay of Effective Date for Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program. Following a series of delays to the effective date of the 2011 Wage Rule amending 20 CFR § 655.10 (the rule was originally scheduled to become effective on January 1, 2012), the effective date has now been delayed indefinitely by DOL final rule published at 78 FR 53643, Aug. 30, 2013. Notations have been made in the text to distinguish the provisions that are effective until further notice from the those whose effect is delayed indefinitely. In addition, the text of the DOL final rule is set forth in an editorial footnote.

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November 2013

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