

PUBLICATION UPDATE

Route to: _____ _____ _____ _____
 _____ _____ _____ _____

Bender's Immigration Regulations Service

Publication 695 Release 236-237

February 2018

HIGHLIGHTS

REGULATORY DEVELOPMENTS

- Release 236–237 of Bender's Immigration Regulations Services includes regulatory changes published in the Federal Register through January 19, 2018.
- See below for details of what is included.

VOLUME 1 (8 CFR)

DEPARTMENT OF HOMELAND SECURITY

Commonwealth of the Northern Mariana Islands (CNMI)-Only Transitional Worker Numerical Limitation for Fiscal Years 2018 Through 2020. By a notification of numerical limitations published at 82 FR 55493, Nov. 22, 2017, DHS-USCIS set caps for FY 2018 through 2020 as follows:

- For FY 2018, cap set at 9,998.
- For FY 2019, cap set at 4,999.
- For FY 2020, cap set at 2,499, to be in

effect until the end of the transition period on December 31, 2019.

The additional caps are have been added to the footnote enumerating the Federal Register Notices of FY Numerical Limitations at 8 CFR 214.2(w)(1)(viii)(C).

A footnote has been added at 8 CFR 214.2(w)(1)(ix) [defining "Transition period"] to note that, based on the factors set out in the Consolidated Natural Resources Act of 2008 (CNRA), it was determined by the Secretary of Labor to extend the CW-1 program for five years. The original end date for the program was December 31, 2014.

Waiver of Passport and Visa Requirements Due to an Unforeseen Emergency.

A final rule published by DHS-CBP at 82 FR 41867, Sept. 5, 2017 (effective Oct. 5, 2017), amended 8 CFR 212.1(g), which is the regulation describing the procedures for issuance of a discretionary waiver, on the basis of unforeseen emergency in individual cases, of certain documentary requirements for individuals seeking admis-

sion to the United States as a nonimmigrant. Also reflected in this release is the amendment made by a parallel final rule of the Department of State published at 82 FR 41883, Sept. 5, 2017 (eff. Oct. 5, 2017), which amended 22 CFR 41.2 (i).

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

Procedures Further Implementing the Annual Limitation on Suspension of Deportation and Cancellation of Removal. A final rule by EOIR published at 82 FR 57336, Dec. 5, 2017 (eff. Jan. 4, 2018) amended 8 CFR 1240.21 by removing and reserving paragraph (b) and revising paragraphs (c) introductory text and (c)(1). EOIR noted that the amendment eliminates certain procedures created in 1998 that were used to convert 8,000 conditional grants of suspension of deportation and cancellation of removal to outright grants before the end of fiscal year 1998. In addition, it authorizes immigration judges and the Board of Immigration Appeals to issue final decisions denying applications, without restriction, regardless of whether the annual limitation has been reached.

VOLUME 2

DOS REGULATIONS

Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended. By final rule published at 82 FR 41883, Sept. 5, 2017 (eff. Oct. 5, 2017), the Department of State amended 22 CFR 41.2(i) regarding waiver of documentary requirements, due to an unforeseen emergency, for nonimmigrants seeking admission to the United States. Also reflected in this release is the amendment made by a parallel DHS-CBP final rule published at 82 FR 41867, Sept. 5, 2017 (effective Oct. 5, 2017), which amended 8 CFR 212.1(g).

DOL REGULATIONS

Department of Labor Federal Civil Penalties Inflation Adjustment Act Annual Adjustments for 2018. A final rule of the Department of Labor published at 83 FR 7, Jan. 2, 2018, amended 20 CFR 655.620(a), 655.801(b), and 655.810(b)(1), (b)(2), and (b)(3), to adjust for inflation the civil monetary penalties assessed or enforced in DOL's regulations, pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990 as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Inflation Adjustment Act). This rule was effective on January 2, 2018. As provided by the Inflation Adjustment Act, the increased penalty levels apply to any penalties assessed after January 2, 2018.

DOHHS REGULATIONS

Annual Update of the HHS Poverty Guidelines for 2018. The Annual Update of the HHS Poverty Guidelines for 2018 was published by DOHHS at 83 FR 2642, Jan. 18, 2018, and has been added to the collection of annual Poverty Guideline updates at the end of the material behind the "DOHHS Regulations" tab in Volume 2.

NEED MORE RESEARCH INFORMATION?

LexisNexis has a wealth of additional material to suit your needs:

- *Lexis Advance* online research (call Online Sales at 1-888-285-3947);
- *LexisNexis* e-Books or Digital Library (call Inbound Sales at 1-800-223-1940);
- Or ask your *LexisNexis* representative.

Matthew Bender provides continuing customer support for all its products:

- Editorial assistance—please consult the “Questions About This Publication” directory printed on the copyright page;
- Customer Service—missing pages, shipments, billing or other customer service

matters, +1.800.833.9844.

- Outside the United States and Canada, +1.937.247.0293, or fax (+1.800.828.8341) or email (international@bender.com);
- Toll-free ordering (+1.800.223.1940) or visit www.lexisnexis.com/BrowseUs.



www.lexis.com

Copyright © 2018 Matthew Bender & Company, Inc., a member of the LexisNexis Group.
Publication 695, Release 236-237, February 2018

LexisNexis, the knowledge burst logo, and Michie are trademarks of Reed Elsevier Properties Inc., used under license. Matthew Bender is a registered trademark of Matthew Bender Properties Inc.

FILING INSTRUCTIONS

BENDER'S IMMIGRATION REGULATIONS SERVICE

Publication 695 Release 236-237

February 2018

**Check
As
Done**

- 1. Check the Title page in the front of your present Volume 1. It should indicate that your set is filed through Release Number 235. If the set is current, proceed with the filing of this release. If your set is not filed through Release Number 235, **DO NOT** file this release. Please call Customer Services at 1-800-833-9844 for assistance in bringing your set up to date.
- 2. This Release Number 236-237 contains only White Revision pages.
- 3. Circulate the "Publication Update" among those individuals interested in the contents of this release.

Check *Remove Old*
As *Pages Numbered*
Done

Insert New
Pages Numbered

For faster and easier filing, all references are to right-hand pages only.

VOLUME 1

Revision

Title page. Title page

8 CFR

195 thru 205 195 thru 205
 365 thru 372.1 365 thru 372.1
 997. 997
 1007 thru 1009 1007 thru 1010.1

VOLUME 2

Revision

Title page. Title page

DOS Regulations

25 thru 30.1 25 thru 29

DOL Regulations

105 thru 107 105 thru 107
 144.33 thru 144.37 144.33 thru 144.38(1)

DOHHS Regulations

73 73 thru 75

FILE IN THE FRONT OF THE FIRST VOLUME
OF YOUR SET

To order missing pages log on to our self service center, www.lexisnexis.com/printcdsc or call Customer Services at 1 (800) 833-9844 and have the following information ready:

- (1) the publication title;
- (2) specific volume, chapter and page numbers; and
- (3) your name, phone number, and Matthew Bender account number.

Please recycle removed pages.

MISSING FILING INSTRUCTIONS?
FIND THEM AT www.lexisnexis.com/printcdsc

Use the search tool provided to find and download missing filing instructions, or sign on to the Print & CD Service Center to order missing pages or replacement materials. Visit us soon to see what else the Print & CD Service Center can do for you!



www.lexis.com

**Copyright © 2018 Matthew Bender & Company, Inc., a member of the LexisNexis Group.
Publication 695, Release 236-237, February 2018**

LexisNexis, the knowledge burst logo, and Michie are trademarks of Reed Elsevier Properties Inc., used under license. Matthew Bender is a registered trademark of Matthew Bender Properties Inc.