

Hot Topics in U.S. Immigration Law



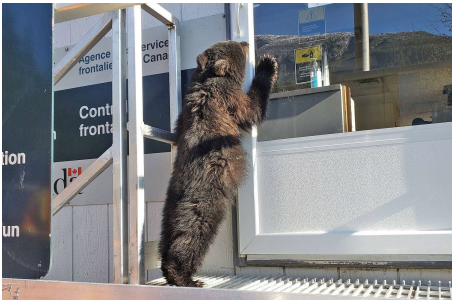
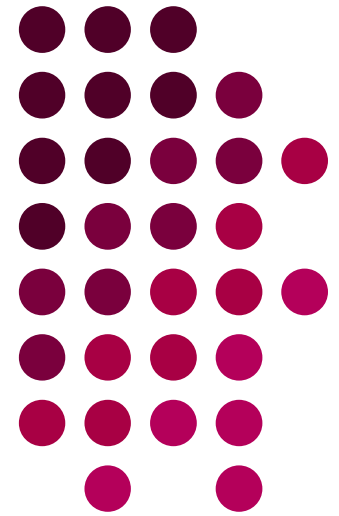
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DARN LAWYERS



This presentation only provides general information about U.S. immigration law and procedure. Today's information does not constitute legal advice and is not a substitute for you seeking legal advice or representation from an licensed immigration attorney.

Curry York & Associates LLC



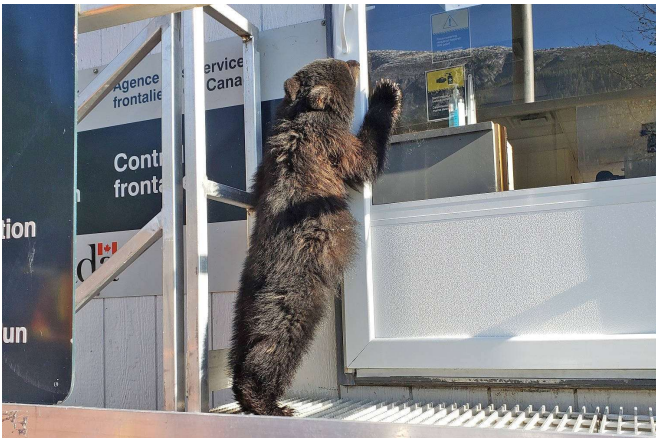
Agenda:

- 1) **Update on COVID related travel restrictions on travel between the US and Canada**
- 2) **Update on COVID related travel restrictions worldwide**
- 3) **US Immigration Processing Delays**
- 4) **US Non-Immigrant Visa Updates**
- 5) **US Immigrant Visa Updates**

U.S./CANADA BORDER RESTRICTIONS



- **All COVID travel restrictions to Canada lifted as of October 1, 2022**
- **US still requires proof of COVID vaccination (or exemption) for NIVs, but no longer requires negative COVID test**



COVID Travel Restrictions Around the World



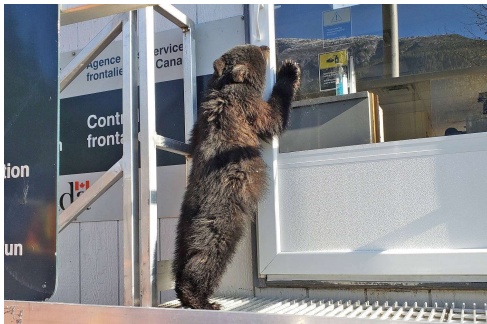
- **China is still “closed” to tourists**
- **Philippines, Indonesia and the U.S. are now the world’s only major tourist markets whose borders are fully shut to unvaccinated visitors (unless exempt)**



US Immigration Processing Delays



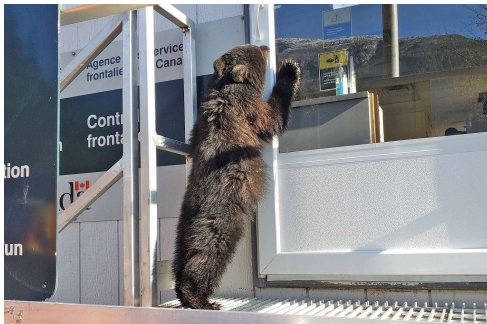
- USDOL – PERM – Prevailing wages taking 9 months +; PERM adjudications 9 months +
- USCIS processing times:
 - I-485 EB: 2-4 years (Yikes!)
 - H-4 EADS: 5-9 months
 - L-2 EADS: 8-10 months (new L-2S/ E-2S categories)
 - I-140 PERM: 11-18 months (Premium Processing Option)
 - New EAD 540 day automatic extension rule



US Immigration Processing Delays



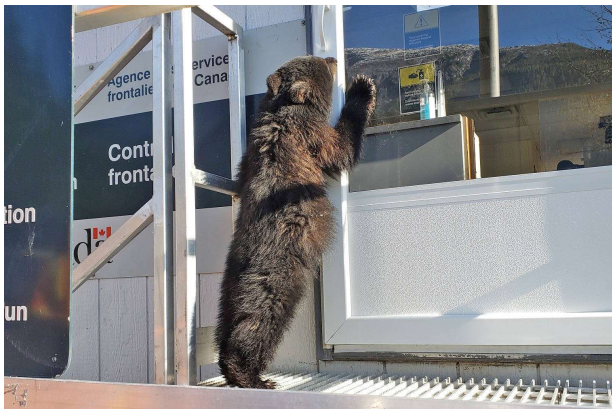
- **US Consular Offices Abroad:**
 - Canadians generally visa-exempt (except K, E-2, Immigrant Visas)
 - Interview Waivers
 - Expedited Appointments
 - Significant Visa Appointment Delays
 - Vancouver: B-2 329 days; Temporary Workers 146 days
 - Calgary: B-2 153 days; Temporary Workers 72 days
 - Toronto: B-2 464 days; Temporary Workers 51 days
 - Ottawa: B-2 346 days; Temporary Workers 114 days
 - Montreal: Emergency appointments only



NIV Updates



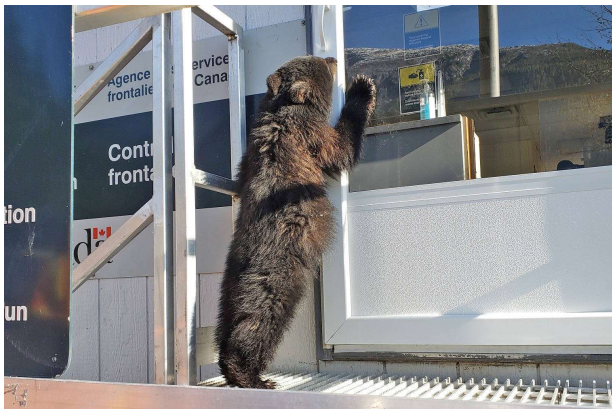
- Spouses of L and E visa holders now employment authorized incident to status
- Automatic extension of work authorization upon timely filing of I-765 renewal; but only until current I-94 expires
- New “S” I-94 category
- Travel to extend employment authorization



IV Updates



- **Significant Processing Delays both in US and at Consular Offices (Immediate Relatives prioritizes at Consular Offices)**
- **Advance Parole not being adjudicated with EAD**
- **Interview waivers both in US and at US Consular Offices**
- **New Public Charge Rule – effective 12/23/22**



QUESTIONS?

