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## Welcome to the T&R Newsletter Summer 2022

This newsletter's topics include: USCIS' new website pages on visa options for STEM professionals, COVID-19 flexibilities extended, immigration scams by phone or email, and an update on the status of the EB-5 regional center program.

### **USCIS SHARES RESOURCES ON VISA OPTIONS FOR STEM PROFESSIONALS**

The United States Citizenship and Immigration Services (USCIS) has published a new online resource for STEM professionals to understand their visa option to live and work in the United States in an effort to encourage them to use the available visa categories. The goal for this resource is to empower global STEM professionals to better understand how they can contribute their talents in the United States and to use the available visa categories.

Some of these resources include the policies announced by the Biden Administration in January 2022 to broaden eligibility requirements for certain visas for early STEM career professionals. These included the O-1 and EB-1a categories for persons of extraordinary ability, and the National Interest Waiver (NIW) petition for persons of exceptional ability whose work is in the national interest of the United States.

Here are the links to the new USCIS website pages:

- [Options for Noncitizen STEM Professionals to Work in the United States;](#)
- [Nonimmigrant Pathways for STEM Employment in the United States;](#) and
- [Immigrant Pathways for STEM Employment in the United States.](#)

Similarly, a non-profit organization, American Immigration Council, rolled out a new website featuring [Guides and FAQs on the 5 international STEM talent policies](#) announced in January by the Biden administration to enhance the ability of the United States to attract and retain international STEM talent.

The current administration is creating immigration policies to attract international STEM degree graduates. If you are interested, please review the above links and/or contact Trow & Rahal to set up a consultation to review what options might be available to you as an organization or as an individual.

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The USCIS has extended again certain Covid-19 related flexibilities through October 23, 2022. These flexibilities had been extended until July 25, 2022, and now are extended again until October 23, 2022. This is likely to be the last extension. These extended flexibilities include:

**An extra 60 days for responses:** The policy extension allows for an extra 60 calendar days to respond to the following types of notices if issued between March 1, 2020 – October 23, 2022:

- Requests for Evidence;
- Continuations to Request Evidence (N-14);
- Notices of Intent to Deny;
- Notices of Intent to Revoke;
- Notices of Intent to Rescind;
- Notices of Intent to Terminate regional centers; and
- Motions to Reopen an N-400 Pursuant to 8 CFR 335.5, Receipt of Derogatory Information After Grant.

**Reproduced signatures becomes permanent policy:** The USCIS has indicated that the Covid-19 flexibility announced in March 2022 regarding the submission of “reproduced original signatures” on USCIS forms became permanent policy on July 25, 2022. The March 2020 policy indicated:

This means that a document may be scanned, faxed, photocopied, or similarly reproduced provided that the copy must be of an original document containing an original handwritten signature, unless otherwise specified. For forms that require an original “wet” signature, per form instructions, the USCIS will accept electronically reproduced original signatures for the duration of the National Emergency.

The original policy also required that the original “wet” signature documents must be retained by the signatory in case the USCIS has reason to request them in the future.

The above policy is now permanent and extends indefinitely beyond the national emergency.

### **BEWARE OF IMMIGRATION SCAMS BY PHONE OR EMAIL**

In a recent posting, the American Immigration Lawyers Association (AILA) warned stakeholders of immigration scams claiming to be from the U.S. Immigration and Customs Enforcement (ICE). The possible scammers are calling or emailing non-U.S. citizens and asking for payment to rectify a problem with their immigration case. In years past, there were similar warnings of potential scams claiming to be from the U.S. Citizenship and Immigration Services (USCIS). Both ICE and the USCIS have indicated that they do not make phone calls or send emails asking for payment. If a payment is due, they will send a letter on official stationery.

To notify ICE of any suspicious activity, please contact the Joint Intake Center at (866) 347-2423 or submit an online form. This information is also posted the [DRIL page on ice.gov](#). The public may also contact the DRIL directly at (888) 351-4024, Monday through Friday (excluding holidays) from 8:00 a.m. to 8:00 p.m. (Eastern Time).

### **EB-5 REGIONAL CENTER PROGRAM IS BACK IN BUSINESS**

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(RIA) in March 2022 to resume the EB-5 Regional Center program. This came with increased EB-5 investment fees and increased oversight provisions of regional centers, among other changes. After the RIA was passed, the USCIS took a surprising turn and announced on its website that all previously authorized regional centers would be considered “deauthorized” and would have to apply again for authorization as a regional center. This caused a bit of a fury among the EB-5 world and lawsuits were filed against the USCIS’ interpretation of the RIA.

On June 4, 2022, the U.S. District Court for the Northern District of California in one of the EB-5 lawsuits issued a preliminary injunction enjoining the USCIS from deauthorizing regional centers. This injunction therefore put the regional centers back in business based upon their prior authorization as regional centers. After the injunction was issued, the USCIS issued new I-526 petitions to be used for filing either individual or regional center cases. This signaled that regional centers could now file EB-5 petitions again.

If you are interested in filing an EB-5 petition, contact Trow & Rahal for a consultation to understand the new RIA and filing of EB-5 petitions now.

### T&R MONTHLY WEBINARS

No August Webinar: Trow & Rahal is not holding its August 2022 monthly webinar due to scheduled vacations. We wish you a happy rest of the summer and we will resume monthly immigration webinars in September 2022.

Please use the link below to register for the monthly T&R webinar on the third Friday of each month at 2:00 p.m. ET for the latest immigration news and to have your questions answered! We welcome questions regarding all types of business immigration cases.

[Register Here](#)



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