



THIS ISSUE

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REACHING OUT

Immigration policy updates have steady increased in the past year. Our office has continued to remain informed of these changes and how they impact our TTUHSC community. Our focus is to ensure compliance with all federal and state laws.

VISA APPOINTMENTS

On September 6, 2025 the Department of State announced that, effective immediately, applicants who are applying for a Nonimmigrant Visa should schedule their appointment at the U.S. Embassy or Consulate in their country of nationality or residence. This is a change from previous policy that allowed individuals to apply for a visa at a country of their choosing.

UPDATE ON \$100,000 H-1B FEE

On September 19, 2025, the President issued a Proclamation entitled "Restriction on Entry of Certain Nonimmigrant Workers." Under this Proclamation, new H-1B petitions filed at or after 12:01 a.m. ET on September 21, 2025 must include an additional \$100,000 payment as a condition of eligibility.

Who is affected

- **Subject to the \$100,000 payment**
 - New H-1B petitions filed on/after Sept. 21, 2025 for beneficiaries outside the U.S. without a valid H-1B visa, or for cases requesting consular notification/port-of-entry notification/pre-flight inspection.
- **Not subject to the \$100,000 payment**
 - Previously issued, currently valid H-1B visas and petitions filed before 12:01 a.m. ET on Sept. 21, 2025.
 - Amendments, changes of status, or extensions filed on/after Sept. 21, 2025, for individuals inside the United States, when USCIS grants the request. Subsequent international travel on an existing H-1B visa after such an approval does not trigger the payment. **NOTE:** If the USCIS determines that the individual is ineligible for amendment or change of status for a particular reason (for example, not maintaining valid nonimmigrant status or departing the U.S. before adjudication), the fee may apply, and the payment would be required.

Exception process

- The Secretary of Homeland Security may grant limited, case-by-case exceptions where:
 - a. An H-1B worker's presence is in the national interest;
 - b. No U.S. worker is available;
 - c. The worker poses no security/welfare risk; and
 - d. Requiring the payment would significantly undermine U.S. interests.



USCIS FEE PAYMENTS

Effective October 28, 2025 the USCIS will no longer accept paper checks and money orders. Employers/Applicants will now be required to pay using a designated credit/debit card. Our office has already obtained a Pcard to be used to pay fees for all filings. A reminder for departments to no longer request filing fees for future sponsorship efforts.

SEVP REPORTING

On October 8, 2025, SEVP send a broadcast message with a reminder for schools about Program Compliance and Reporting Requirements for F, M and J Nonimmigrants.

Our office continuously maintains records for all F and J nonimmigrants. We are aware of the timeframes for reporting. If a department or student has questions related to this, it is recommended to reach out to our office

MEET THE TEAM

Ms. Mariela Benitez Rubio has practiced immigration law for over 10 years. She holds a Juris Doctorate degree from William Mitchell College of Law with a concentration in International Business Law.

Ms. Brittany Valenciano has over 10 years of public service experience. She holds a Bachelor's Degree in Government from the University of Texas at Austin and a Master's degree in Public Administration from Texas Tech University.

IMPACT OF GOVERNMENT SHUTDOWN

On October 1, 2025, due to a lapse in federal appropriations or continuing resolutions to fund the government, agencies initiated their shutdown contingency plans. Most fee-based agencies continue to operate but may still be impacted by the shutdown.

- DHS - USCIS continues case processing during the shutdown. E-Verify was temporarily down but resumed operations. The Conrad 30 Program is impacted by the shutdown.
- DOS - Consular operations remain operational and SEVP/SEVIS remain functional.
- DOL - The OFLC is not fee funded and as a result both temporary and permanent labor certifications are impacted. ICS is unable to file LCAs for H-1Bs, PERMs or Prevailing Wage Determinations.

It is possible that the shutdown may increase wait times for many immigration processes.



POLICY WATCH FOR F-1 & J-1 SCHOLARS

Back in August, DHS proposed rule to end "duration of status" for F and J nonimmigrants was published. The proposed rule would replace D/S admissions with a fixed end date on Form I-94. This would require students to file formal extension applications with USCIS for program extensions. Public comments on the rule were due September 29, 2025.

Our office continues to monitor this policy update. Since this is at the proposed rule stage, a rule would not become final until after DHS reviews public comments on the proposed rule, submits a final rule for OMB review, and then publishes a final rule in the Federal Register with a future effective date.