

PREFACE

Volume I of AILA’s *Immigration Regulations*, current through March 22, 2021, covers Title 8 of the Code of Federal Regulations (CFR), which is composed of regulations from the Department of Homeland Security (Chapter I) and the Executive Office for Immigration Review (Chapter V). Newly incorporated regulations include:

- A DHS final rule restoring the regulatory text to appear as it did prior to the issuance of the August 2019 public charge rule;
- A DHS temporary final rule continuing to allow flexibilities for H-2A workers in light of the COVID-19 pandemic;
- A DOJ final rule and a DHS interim final rule amending the regulations as a result of the Northern Mariana Islands U.S. Workforce Act of 2018;
- and more!

At the time this volume went to press, many of the rules promulgated by the Trump administration were subject to court orders prohibiting their implementation. Despite the court orders, the text of these rules remains incorporated into the text of the CFR until new rules amending the CFR text are published in the *Federal Register*. Editorial footnotes have been added to *AILA’s CFR 2021* to indicate rules subject to a court order prohibiting their implementation at the time this volume went to press. Please monitor *AILA.org* and the Public Access to Court Electronic Records (PACER) website for updates on the status of litigation.

Regulations new to the 2021 edition and subject to a court order prohibiting their implementation at the time this volume went to press include:

- A DHS final rule significantly altering the USCIS fee schedule;
- A DHS and DOJ final rule making sweeping changes to the asylum system;
- A DHS and DOJ final rule adding seven additional mandatory bars to eligibility for asylum;
- A DHS and DOJ final rule finalizing, with minor changes, the July 16, 2019 interim final rule that barred from asylum eligibility individuals who transit through a third country without seeking protection;
- A DOJ final rule amending the regulations governing the adjudication of applications for asylum and withholding of removal before EOIR;
- A DHS final rule eliminating the regulation articulating a 30-day processing time frame for USCIS to adjudicate initial applications for employment authorization for asylum applicants [*Subject to a court order prohibiting its implementation as to members of two plaintiff organizations only*];
- A DHS final rule making multiple changes to the regulations on employment authorization for asylum applicants [*Some provisions subject to a court order prohibiting their implementation as to members of two plaintiff organizations only*];
- A DOJ final rule dramatically changing immigration appeals procedures;
- A DOJ final rule increasing the filing fees for applications, appeals, and motions that are subject to an EOIR-determined fee [*Most, but not all, fee increases subject to a court order prohibiting their implementation*]; and
- A DHS interim final rule revising the definition of the term “specialty occupation.”

The layout of the CFR pages allows users to easily distinguish between subsections, paragraphs, clauses, etc., with nested text and more conspicuous headings at the subsection and paragraph level. The running headers remain detailed, allowing users to quickly find a needed provision. For ease of use, there is a detailed, combined, comprehensive index that includes references to both Volumes I and II of this CFR set.

As with all of AILA's primary sources, any corrections to AILA's *Immigration Regulations* will be available at www.aila.org/Errata. In addition, regulations published in the *Federal Register* that amend the CFR are posted to AILA.org and to AILALink, and any changes to the CFR are also reflected in the version of that document located on AILALink. We welcome any comments and suggestions you may have regarding any AILA publication. Please send your remarks to books@aila.org.