Highlights of the 2026–2027 Edition

The 2026–2027 Edition of *Steel on Immigration Law* includes discussion of:

- Updated and expanded summaries of guidance in the USCIS Policy Manual, the new EOIR Policy Manual, and the State Department Foreign Affairs Manual
- New and increased filing fees enacted in Pub. L. No. 119-21, 139 Stat. 72 (July 4, 2025), including fees for asylum applications, TPS, parole, appeals, and motions
- Proclamation No. 10998 (Dec. 16, 2025), 90 Fed. Reg. 59717 (Dec. 19, 2025), and the resulting series of State Department travel bans, the exceptions to them, and the vacatur of the ban as of late July 2026
- 91 Fed. Reg. 5267 (Feb. 6, 2026), radically changing the methodology by which the Board of Immigration Appeals considers appeals (Chapter 2)
- The DHS rule effective September 15, 2026, eliminating "duration of status" admission for F-1 students and J-1 exchange visitors and imposing a four-year maximum period of stay (Chapter 3)
- The $100,000 fee imposed on most new H-1B petitions effective September 21, 2025, absent a "national interest" waiver, and the summary judgment entered in favor of the plaintiffs challenging it and the wage-weighted H-1B cap registration selection process, under which the beneficiary's OEWS wage level determines the number of lottery entries (Chapter 3)
- The bar on approving a labor certification or H-2B petition for a commercial vehicle driver who lacks the required license or English-language proficiency (Chapter 3)
- Expanded VAWA self-petition guidance (Chapter 5)
- USCIS Policy Memorandum PM-602-0190 (Sept. 4, 2025), providing that an adjustment applicant must not be likely to become a public charge "at any time" (Chapter 7)
- *Matter of R-E-R-M- & J-D-R-M-*, 29 I. & N. Dec. 202, 2025 WL 2744909 (U.S. Att'y Gen. 2025), overruling *Matter of L-E-A-* and requiring that a family group be defined with sufficient particularity to qualify as a particular social group (Chapter 8)
- *Matter of C-I-G-M- & L-V-S-G-*, 29 I. & N. Dec. 291, 2025 WL 3068152 (B.I.A. 2025), holding that where an asylum cooperative agreement exists, the respondent must prove that it is more likely than not that he or she would suffer persecution in the third country (Chapter 8)
- The authority of USCIS and immigration judges to pretermit an asylum application found legally insufficient (Chapter 8)
- The July 2026 change permitting an immigration judge to refer an asylum application to EOIR without an interview or adjudication in circumstances described in the regulation (Chapter 8)
- *Mullin v. Doe*, 609 U.S. 324, 146 S. Ct. 2121, 225 L. Ed. 2d 594 (2026), upholding termination of TPS for Haitian and Syrian nationals and holding the determination not subject to judicial review (Chapter 8)
- The Gold Card category established by Exec. Order No. 14351, under which individuals and corporations may sponsor qualified individuals on Form I-140G, Immigrant Petition for the Gold Card Program, with a $15,000 filing fee (Chapter 9)
- Expanded public charge guidance, including the prospective nature of the determination, public charge bonds, and breach of the bond upon receipt of any means-tested public benefit (Chapter 11)

- The 2025 elimination of the 100-mile limitation on expedited removal and its application to persons continuously present in the United States for at least 14 days but less than two years (Chapter 12)
- The holding that a person turned away at a land port of entry without having set foot in the United States has not been admitted and is not eligible for a credible fear determination (Chapter 12)
- The rescission of the ICE policy memorandum of July 8, 2025, mandating custody without bond for arriving aliens (Chapter 14)
- The Supreme Court's holding that the deferential "substantial evidence" standard applies in reviewing the denial of an application for asylum, including mixed questions of fact and law (Chapter 14)
- The BIA's holding that invoking the Fifth Amendment privilege against self-incrimination may support an adverse inference (Chapter 14)
- The Supreme Court's decision holding Exec. Order No. 14160 on birthright citizenship unconstitutional under the Fourteenth Amendment (Chapter 15)
- Reinstitution in 2025 of the 2020 civics test under which applicants are asked 20 questions and must answer 12 correctly and persons with special needs must answer six of 10 correctly (Chapter 15)