Kate Kalmykov (00:13):

Hello everyone, and welcome to the Immigration Insights Podcast brought to you by Greenberg Traurig. My name is Kate Kalmykov and I am your host. I co-chair the Global Immigration and Compliance Group at Greenberg Traurig. And today, we are going to talk about the USCIS policy memo issued on May 21st, regarding adjustment of status green card applications in the United States. I'm joined by my partner, Jennifer Hermansky, from our Philadelphia office, and Michael Eisenstadt of council in our Atlanta office. I'm going to give them the opportunity to introduce themselves and we will get started. Jen, why don't we start with you?

Jen Hermansky (00:58):

Hi everyone, my name is Jen Hermansky, I'm in the Philadelphia office of GT. I primarily work on the firm's EB-5 matters, and I'm happy to be here today to talk about how the recent policy memo on adjustment of status may impact EB-5 investors.

Kate Kalmykov (01:17):

And Michael.

Michael Eisenstadt (01:20):

Hello everyone, I'm Michael Eisenstadt, I'm of council with Greenberg Traurig's Atlanta office. I work on pretty much every type of corporate immigration ladder, and I'm here to talk about this new memo and how it might affect our clients and [inaudible 00:01:43] apply through employment-based process.

Kate Kalmykov (01:46):

Excellent. So, let's get started, and we're also going to touch on family-based applications. So, on May 21st, Friday before Memorial Day, USCIS published a policy memorandum, which interestingly has no implementation date, and does not indicate whether it will be applied to pending applications. In this policy memo, they noted for the first time that they are considering adjustment of status an extraordinary benefit that has been used too frequently by applicants, and that they now want to limit the use of adjustment of status, which is a green card filing in the United States. Specifically, they addressed a number of visa categories, saying that people who come to the US in temporary status, such as B1, B2 business, or tourist visitors, or F1 students should not be applying for adjustment of status. For other visa categories, they specifically noted H1Bs and L1s that they would consider the economic benefit, and any work in the national interest in deciding whether applicants can apply for adjustment of status.

(03:09):

And for other visa categories such as Es, Os, E3s, TNs, they also noted that the proper process going forward would be to apply at a US consulate overseas for an immigrant visa. So, Jen, can you talk a little bit about the memo in more depth, and also how feasible is it for adjustment of status to just be taken off the table?

Jen Hermansky (03:41):

Sure. So, if we just take a step back and look at adjustment of status generally, this is the process that people go through, applicants go through, who are physically here in the United States in some form of non-immigrant status to process for a green card. There is a corresponding process outside of the United States too, that Kate just touched upon, we frequently call it consular processing. That's also how

the memorandum from May 21st refers to it. So, generally when people want a green card to the United States, they go through various methods to get one. So, maybe they have an employer sponsor them through a job in the United States, or they have a family member sponsor them through a family-based process, or they have an investment-based process such as EB-5. These are some examples. In all of these cases, people first have an immigrant petition filed on their behalf, which is establishing the reason why they're eligible to immigrate to the US.

(04:50):

And along with that, we have to do a separate application for people to actually get permanent residency. So, for those individuals who are here in the United States, we have adjustment of status. So, people often come to the United States in various temporary categories, like Kate mentioned, we have people who enter as visitors, we have people who enter as students or exchange visitors, we have people entering to do a job in the United States in a number of different categories, like TN or O extraordinary abilities, or H1Bs or L1s. There are a number of types of non-immigrant visas where people come in to the US lawfully, and later a process might occur for them where they wish to stay in the United States and apply for permanent residency. And so, they have the opportunity to file an immigrant petition or someone is doing that on their behalf, and then they have the opportunity to also file for adjustment of status.

(05:58):

So, this memorandum, when it came out, it says that adjustment of status isn't normal process, they are reframing the adjustment of status process as what they call an extraordinary benefit and a matter of discretion. Now, the USCIS is saying that they've always viewed an adjustment of status application in this manner, and certainly the adjustment of status has always been a matter of discretion. So, the government gets to look at all of the factors, make sure that you meet the requirements that the statute lays out, and the regulations, and if you do, then they process the case. This is the first time, however, we're hearing from the USCIS through this memorandum that adjustment of status is going to be considered an extraordinary benefit, and that in almost all cases, people should be processing not in the United States through adjustment of status for the green card, but instead going and returning to their home country, and doing a consular process, which is the process that people follow when they're abroad, and they're not in the United States, and they don't have an underlying non-immigrant status.

(07:25):

So, the USCIS memo is seeking to shift the adjudication of green card applications from the USCIS to the consulates abroad, at the state department level, shift those adjudications to a different agency. And the memo seems to suggest that this is the normal process that should happen, and that the consulates and the embassies abroad should be the ones adjudicating these types of applications for almost everyone. So, we do believe that this is a change in the policy of USCIS, and we've not heard from them before that this is an extraordinary benefit. This is a new concept in the memo.

Kate Kalmykov (08:12):

So, Michael, moving the adjudication of hundreds of thousand green card applications to the consulates abroad, do you think that's feasible, especially in light of the delays we're seeing at the consulates? Because when the administration came into office, they significantly reduced staffing and the number of foreign service officers at many of the posts abroad. For example, in Abu Dhabi, the wait is close to three years just to get an appointment for an interview.

Michael Eisenstadt (08:45):

Thank you, Kate. Actually, when I was reading this memo, staffing was the first word that came up in my mind, because not only councils are understaffed, critically understaffed, and the staff has been cut down even more by the current administration, If we look state side, USCIS is very well staffed... Well, not very well, but adequately staffed to conduct AOS interviews, and AOS adjudications. They have probably hundreds if not thousands of officers dedicated to processing AOS cases, and process interviewing AOS applicants in the United States. So, the staffing by itself suggests that for years the government has viewed AOS as a primary channel to get a green card, as opposed to consular processing, and all their staffing decisions and budgeting decisions for two agencies for state department and for Homeland Security were based on that premise. And it is unclear how they're going to address this issue, and what their response would be to increasing waiting lists on the consular side.

Kate Kalmykov (10:27):

Absolutely. And also we have no indication of the staffing at the National Visa Center because for many of these cases, the initial step is that USCIS approves the immigrant petition, whether it's an I-140, an I-526, in I-130, and then it gets sent to the National Visa Center, who's actually the ones that are processing fee bills through the portal, where you're uploading your forms and your biographic documents, and then it's only being sent to the Department of State and the relevant embassies and consulates. And we have no indication if there was communication between USCIS, Department of State, and NVC in making this decision. And it's something that seems like it could result in backlogs that could just take years. That is also in addition to the fact that we still have a pause on the processing of immigrant visas for applicants from 75 different countries, which was issued earlier this year, there's already a queue for those people who have been in a hold.

(11:37):

And so, if we begin to add to that, how long will the wait lines actually be? And two, it seems that for nationals of 75 countries, both the US domestic route is closing, but also the overseas route is closed. And the interesting part is the pause, we can't call it a visa ban, we have a visa ban that's separate for 39 different countries...

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Kate Kalmykov (12:03):

... and we have a visa ban that's separate for 39 different countries. The pause was to revise the forms to find a way to vet individuals who may come to the US to take public benefits. And unfortunately, instead of applying it to certain types of applicants, so for example, your investors who already have to provide a net worth statement and are making an $800,000 investment in the US or your employees that have sponsorship and are being guaranteed a salary really shouldn't have been part of that hold because it's unlikely they will come to the US and take public benefits. That should have been an exception to that. But we had a hold put on nationals from these countries. And it's now been close to six months with no revised form issued to ask public charge questions. But interestingly, you know what does? The adjustment of status application in the US, those questions are contained therein. And so it's interesting to see what happens with that and if the pause will be lifted as a result of this new policy.

(13:10):

Now, one of the things that the memo outlines is the government's ability to use its discretion to determine if someone can apply for AOS. Now, this is very interesting because it deviates from decades of immigration practice. I've been an immigration lawyer for 21 years and this has nothing to do with any established precedent. It also invites people to apply, pay thousands of dollars to apply, and then

sort of gamble on whether the USCIS will accept their application. So Jen, can you walk us through what the discretionary factors are and the RFEs that members of the bar are reporting to get?

Jen Hermansky (14:01):

So this memorandum seems to try to define how they will be applying this discretion concept moving forward. So the first part is that the government says it will look at the factors under a totality of the circumstances test, meaning they're going to weigh positive factors against potentially negative factors and then determine whether they should allow you to have an adjustment of status approval without having to go home and consular process. So some of the things that might be in the positive discretionary factors are things like family ties in the US and lack of those ties abroad now.

(14:49):

So this seems very important for the family-based adjustment of status cases to show that the individuals in your family have moved to the US, immigrated and are now filing a petition on your behalf, you don't have really any contacts or family members abroad any longer. And this is important because family unification has always been one of the tenets of US immigration law. We seek and we strive to unify families, not separate them and force them to process abroad or go back to a home country where they don't have any family members any longer for long periods of time while they wait for a visa to become available to them. So that's the first part.

(15:40):

They also say they can consider any jobs that you have in the US. So for example, the memorandum explicitly states H and L visas are still subject to this policy. Although we believe that applicants who are employment-based immigrants can make various arguments about their jobs in the US towards a positive factor. So for example, showing the importance of their job, maybe their job is important in a national interest scenario, maybe they are managing important functions and things like this and they have a lot of responsibilities. They've worked in the US lawfully in status for quite some time. Those seem like they can be considered positive factors. They also list community involvement and ties, payment of taxes, things like this will be considered positive factors in the balancing test that the USCIS will do.

(16:48):

They also listed negative factors. So some of the negative factors would be failure to maintain non-immigrant status. Also, failure to depart the US after you are admitted for a specific period of time. And then you don't depart the United States, instead, you file an adjustment of status application. Conduct inconsistent with the terms of the visa on which you entered. So perhaps this is very applicable to people who enter as a visitor in the United States. A visitor is supposed to be the most temporary status. Visitors are supposed to maintain a residence abroad that they have no intention of abandoning. And so it looks and it seems like USCIS may use this as an opportunity to say you filing an adjustment of status application after being admitted in certain non-immigrant statuses, such as B, may be inconsistent with the purpose of the B visa itself.

(18:07):

So they also mentioned immigration violations or fraud. Which fraud, okay, that's always been a factor that can come in in an adjustment of status application. That's not a new concept. But interestingly, some of these negative factors such as a prior immigration violation, a brief overstay, things like this, there might be actually exceptions in the law that still allow people to apply for adjustment of status even when these things have occurred. So for example, an immediate relative who is a parent or a

spouse of a US citizen can still apply for adjustment of status even if they are out of status or have worked without authorization.

(18:58):

There's also a provision in the law where employment-based immigrants can still file for adjustment of status if they've had a brief period of time out of status of less than 180 days, or a brief period of working without authorization of less than 180 days. And so there will be an interesting, I think, dynamic here because on one hand the government is saying that these are negative factors, but on the other hand, we have a statute that says you can still apply even if these things happen to you. So it's not clear to me how the government can use a policy negatively towards you when the law which is passed by Congress actually still allows you to make this sort of application.

Kate Kalmykov (19:52):

Let's take a deeper dive on that because we have a number of laws on this topic. Let's take it from the point of view of EB-5 investors for one minute. In 2022, Congress introduced the Reform and Integrity Act, which for the first time permitted concurrent filing for EB-5 investors in the United States and it imposed no restriction on what visa status you can concurrently file from. So now we're in the situation where we have a number of investors. One of the most common scenarios is students. Came here, they loved it, their parents give them a gift and they concurrently file for the adjustment from an F1 visa after making an EB-5 investment. We also have individuals who came into the United States, found out about the EB-5 program. They were a tourist, they decided to stay for whatever reason and they've concurrently filed. It's unclear what's going to happen to these adjustments at this time. And that's partially because the memo didn't contain an implementation date, but it also wasn't clear on whether it's going to be applied retroactively.

(21:11):

And we also in the business context have a number of people who are here in F1 status, for example. And after their F1 studies then, they get a year of OPT. And if they're in a STEM profession, they get an additional two years working for an E-Verify employer. So Michael, many times these people with the STEM degrees, they may finish bachelor's programs, but they may be coming out of an advanced degree program and they're highly qualified and the employers are using them to work on the STEM OPT or just regular STEM because it's very difficult to get an H-1B in the lottery system. And many times they qualify to file for an employment-based green card. How do you think this is going to impact employers and sponsorship, particularly if these individuals don't have another underlying work visa status and may have to return home?

Michael Eisenstadt (22:15):

Yeah, this is one of the listers of this memo because one thing to remember is this is a memo. It is an agency guidance. It does not change the statutory framework for adjustment of status. It does not change any immigration laws or regulations for that matter. And work authorization for F1 students both before and after graduation is part of the existing law. So there is hardly any argument that government can make that those individuals are violating conditions of their status.

(23:04):

On the other hand, F1 status, student status is again, by law, by definition, a temporary status. And to be considered maintaining status, the individual has to maintain an intent to return to their residence abroad after their program is finished. Employment under postgraduate OPT authorization is considered part of their program, but it is not clear how the government will address the dichotomy between their

being employed legally and staying here consistent with all the conditions of their status and they intend to come back when they try to adjust status based on their employment-

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Michael Eisenstadt (24:03):

When they try to adjust status based on their employer's petition, the memo does mention the test that [inaudible 00:24:12] spoke about that will balance those factors. I think one of the factors would be, of course, the non-immigrant intent of an F visa, but the other factors would be their compliance with their non-immigrant status, the lack of fraud or misrepresentation, the employers and their own petitions and applications will answer a lot of questions about the conditions of their employment and their personal background.

(24:50):

So I think this is something that we still have no clarity here, but I am not overly pessimistic on the fate of someone who has come here as a student, spent several years in the United States, sometimes a lot of years in the United States, never violated the conditions of their admission, never worked without authorization, and now has found an employer who's willing to sponsor them. And intent is a temporary thing, it can change. So I think we have an argument and I think we just have to take away to see approach and see how the government will handle those situations. Again, considering the staffing issues at the different government agencies and how much easier and more cost efficient it would be to allow those students to adjust status here.

Kate Kalmykov (25:54):

You bring up a lot of good points because it's been established for a very long time in terms of intent that intent can change within 60 to 90 days after entry. So you can enter as a non-immigrant, a visitor, student in a non-dual intent work visa category and intentions can change enabling you to file the adjustment. And another very good point you made is memo is not a way to legislate. Congress by the Constitution has the ability to pass immigration laws. The courts can interpret the immigration laws. The agency administers immigration laws. And this memo is a very interesting thing because it attempts to sort of both reinterpret and create new immigration laws and you simply can't do that by memo.

(26:53):

Now we mentioned the RIA before and one of the interesting things that happened is that the agency never promulgated regulations after the passage of the RIA in 2022. It's actually the four-year anniversary this month of the passage of the RIA and its implementation and we still don't have regulations. And regulations as we know under the Administrative Procedures Act are subject to notice and comment from the public. So I'm wondering if the memo is a way to avoid notice and comment from the public and just a way to sort of legislate by fiat. And if that is the case, which it appears to somewhat be, I think we can anticipate that there will be a lot of litigation if this memorandum is not revised.

(27:47):

Now, Jen, the administration previously issued guidance on the travel ban on H-1B visas and they revised and clarified it subsequently a number of times. So do you think we can anticipate to see that here because there's a lot that remains unclear?

Jen Hermansky (28:09):

Yes. I think that oftentimes the government will come out with the policy memorandum. They also have another document called the Policy Manual, which is the document that is binding on the USCIS adjudicators and provides their own internal staff with guidance on how to adjudicate applications, including adjustment of status. And we haven't actually seen any changes really to the Policy Manual itself. We only have this memorandum that was issued on May 21st.

(28:47):

So as we have seen previously, most recently, and I think most impactfully with the H-1B policy that came out where they're charging very high fees to certain H-1B employers in order to sponsor an H-1B employee, that initial guidance that came out was then clarified and it actually turned out that the agency wasn't attempting to apply it to actually large numbers of applicants. It kind of whittled down to a smaller number of people that would actually be affected by the policy. And I think here the same thing will be true. As the agency gets feedback maybe from its stakeholders, even from internal sources within the USCIS, how the officers are supposed to implement these things, I think that we will receive updated clarifications.

(29:53):

And importantly, I think we also saw already some statements by some people within USCIS that there will be certain factors that they will look at and it suggested to me that they might clarify this policy over time for how they really intend to apply it to individuals. So I think we might see some walking back of the statements that are in the memo or just general clarifications to soften it.

Kate Kalmykov (30:27):

What's our advice right now given that so much remains unclear? Definitely I think individuals and HR need to review who is in process for an adjustment of status and probably more than ever it's important to make sure that underlying non-immigrant status is maintained where possible.

(30:52):

So Michael, let's talk a little bit. We addressed Hs and Ls and if they have a valid visa, it seems that they can enter and exit the country with that and they should maintain. But for individuals in other work visa statuses, how are we addressing this issue based on what we're seeing in the memo and specifically E-1s, E-2s, E-3s, H-1B1s, O-1s, TNs? There's a whole alphabet soup of work visas in the United States where applicants may have applied for adjustment of status.

Michael Eisenstadt (31:32):

I think the first part of the advice would be the same as to anything else, be very cognizant about maintaining your status. Every visa has certain conditions attached to it as far as your work conditions are concerned. Every time you change your job, every time you are promoted or moved to a role with a different focus, you should probably address that with your employer and their multiple employment immigration council. You should be very cognizant about not overstaying your admission period. You should always check your I-94 card because sometimes it may be limited in duration and the limitation may be different from your underlying visa authorization. For example, if your passport expires every year when your L petition or E-2 visa stamp expires, or maybe you've been admitted in error. We see a lot of erroneous admissions at the course of entry. So everybody should be checking their I-94s and making sure that they don't overstay their admission period.

(33:02):

Apart from that, I think the advice would be the same as to F-1 students on OPT, you've spent a lot of time in this country are bringing significant economic benefit. The USCIS already mentioned that they

will be considering economic interest of the United States as a significant factor in deciding whether or not someone can adjust. And if you look at the legislative history behind, let's say L-1 or E-2 regulations, it is driven by the economic interest of the United States. That was the primary reasons those visa categories were established to begin with. So again, we hope we'll get more clarity on this situation. And at this time it's a time to be vigilant, but it's not the time to be worried too much. We'll wait and see and we should probably see some positive clarifications from the government with respect to at least the long-term work authorizations, your TNs, your E-2s, your L-1s.

Kate Kalmykov (34:20):

So for those individuals who also have received advanced parole through the adjustment of status process, it's important to note that they should maintain their underlying status, but if they have already traveled and reentered on the advanced parole or worked pursuant to their EAD card, that may not be possible and they should really reexamine international travel at this time because we don't know when the memo will be implemented. We don't know if it will be softened or not, though that is our hope. And because of that, if an application is denied and somebody is out of the country in advanced parole without a valid visa, they may not have the ability to reenter the country. I think that international travel right now right in time for summer travel season is something that needs to carefully be reexamined in conjunction with immigration counsel.

(35:23):

Jen, now some applicants are saying, "Okay, we'll process abroad. Can we keep our immigration application pending at the same time with USCIS and submit something overseas?" Now, this sort of is creating a double process for the agency, which is something that I think the goal of the memo was to avoid and to lessen the burden on adjustment of status. But because the guidance is so unclear, there's nothing prohibiting people from seeking an NVC consular process and an adjustment at the same time and rolling the dice to see what works. Can you talk a little bit about that?

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Kate Kalmykov (36:03):

... rolling the dice to see what works. Can you talk a little bit about that?

Jen Hermansky (36:05):

We have seen people in the past go through simultaneously a immigrant visa process through the NVC, and also simultaneously file an I-485 application in the US. We do know that the National Visa Center will continue to process a consular processing case for an applicant and their dependent family members even where an adjustment of status application is already pending. We've seen that happen many times before and sometimes applicants do that to see which will occur faster, the adjustment of status or the consular processing. Sometimes they're just wanting to anticipate maybe a change that will happen to them. For example, sometimes an individual started out as consular processing and then had the opportunity to come to the US on a non-immigrant visa, and then later file an adjustment of status application based on a pending or approved immigrant petition.

(37:18):

So sometimes again, we're back to the scenario of circumstances change for applicants, and it's important to note that no one goes through the immigration process for a green card quickly here in the US. Sometimes these processes will take many years to complete. It's also not realistic for the government to think that people's circumstances won't change during these long periods of time where

they might be abroad and then having the opportunity to lawfully come to the US on various non-immigrant categories, and thereafter, change their plans for how they're processed. So yes, we do think it is possible to have simultaneous processes. Although this might be an interesting area, we'll have to check to and monitor to make sure that there's no forthcoming guidance from USCIS that would somehow limit a person's ability to file both of these applications.

Kate Kalmykov (38:23):

Interestingly, AOS interviews at the local district offices most commonly for family-based filings, but sometimes for employment-based filings, are moving forward. We attended some this week, and the officers explained to us that they did not receive guidance to change their processes during the interviews. That's also interesting to note, that there also needs to be information disseminated to the public, but also internally in terms of implementation. I think our takeaway today is that this is certainly in flux and to continue to monitor developments. I think the government has to give more details to us on how this process is going to move forward, what's going to happen to pending applications, and what's going to happen to the applicants who are on pause overseas. For employers, it's more important than ever to assess who is on a work visa and to make sure that the underlying status is maintained, and then to speak to immigration council about embarking on the adjustment of status for people who are not in HRL.

(39:44):

For people who are in HRL, it will be important to put together documentation of how they benefit the public interest and the economic interest of the country. The same thing for EB-5 investors, that will be important documentation. For family-based applicants, it will be important to show why having to go abroad to process will be extremely difficult. And as Jen mentioned, some people may have had violations of status, worked without authorization, overstayed a visa. If those applicants leave, sometimes they can trigger a bar to re-entry that is either a 3-year or a 10-year bar depending on the length of the violation, and so that may also not be feasible for them in terms of consular processing.

(40:36):

Now, in terms of how we are going to address new filings or even RFEs, Michael, putting some of these factors in terms of national interest, economic benefit, family importance will be now something that we have to incorporate into our filings and it will be important to communicate with clients about what sort of documentation do you think that they can present in order to help us make that argument upfront to the USCIS?

Michael Eisenstadt (41:12):

Well, that would definitely be beneficial to configure those factors. I would stop short of saying have to, because again, this memo is not the law. The law hasn't changed. This memo is not even a guidance. It doesn't have the implementation date. It is not part of the Adjudicator's Manual. If I was a adjudicating officer at the USCIS Service Center, I would be very upset because this memo tells me to do something and doesn't tell me what to do. Do you have to change the way you're doing things? You don't. Is it advisable to look into ways that you can mitigate possible consequences of this memo? Absolutely.

(42:06):

Look at your employees, look at what they're doing. Is it part of what this administration or your government historically has seen as lashing interest of the United States? For example, AI is on everybody's mind now and the administration has actually come out with several documents stating that they treat it as a matter of utmost importance. All your data scientists, all your AI specialists may

benefit from an additional argument that we can make when we file the adjustment of status saying that this person is employed as in an area that supports a clear national interest. Same for IT specialties, especially encryption.

(43:05):

Is it an economic benefit of the United States? Are you working for a huge multinational corporation that brings billions of taxes? Are you working for a startup that may put the United States in the forefront of some of the upcoming economic development? There's a lot of arguments that can be made for each particular association and our advice to our clients will be definitely to look into it and talk to us about it and see what, if anything, needs to be done and we'll probably be able to do it in an efficient and effective way.

Kate Kalmykov (43:52):

And Jen, to wrap up on the EB-5 side, obviously, we have a lot of clients in process. We have a September 30 deadline, where many clients are trying to file EB-5 petitions before the grandfathering provisions expire and the price goes up. And of course, many of them want to concurrently file pursuant to the RIA statute. What are your insights on that?

Jen Hermansky (44:21):

I do believe that making a significant direct investment in the United States to the tune of $800,000 or $1,050,000 should be a very positive factor in your favor. In addition, the whole point of EB-5 is that we are creating 10 jobs for each investor through this foreign direct investment. Certainly, this should be considered in the national interest. It's significant foreign direct investment. It is significant job creation for US workers. These are goals of the US government. It's fully-aligned with our immigration laws. And I think for many of the people who are students who have been maintaining their student status and they wish to remain in the US, again, these are changed circumstances. You are about to graduate, you want to have the opportunity to remain here, and so you make a significant investment and you concurrently file the AOS.

(45:32):

You've always otherwise maintained status and maintained your curriculum and done what you needed to do, graduate with a degree from the US. These are all positive factors that I think we can simply document in an adjustment of status. I do still think there are pathways forward for the people who are eligible to do these things, not to mention the fact that the statute explicitly allows for this. I think it will be harder for the USCIS to say that these things aren't in the national interest when we're so focused on direct investment and creating jobs for US workers.

Kate Kalmykov (46:19):

Thank you. Thank you both for joining me today. We are going to keep monitoring this issue. We know it impacts hundreds of thousands of people, and so we invite everyone to tune in to our subsequent podcast episodes and also to follow both of our blogs, insidebusinessimigration.com and eb5insights.com. We will hope that we will get clarifying guidance imminently, which I think we indeed will. Thank you, everyone.

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