



**An International Law Firm with Lawyers that are:**

Registered with the Quebec Bar, the Law Society of Ontario & the Law Society of British Columbia in Canada  
Registered with the New York State Bar & the District of Columbia Bar in the United States of America  
Registered with the Bar Association of the Kingdom of Cambodia  
Registered Foreign Lawyers with the Law Society of Hong Kong  
Registered with the Law Society in England and Wales  
Registered with the Paris Court of Appeal in France  
Registered with the Justice Ministry of Vietnam  
Registered with the Grenada Bar Association  
[www.harveylawcorporation.com](http://www.harveylawcorporation.com)

Contact us at [contact@harveylawcorporation.com](mailto:contact@harveylawcorporation.com) or reply to this email.

**Pathways to Live and Work in the USA: Green Card Considerations and Immigration Trends**

Dear valued clients and partners,

You are receiving this email because you previously subscribed to receive updates from us. We respect your privacy and process your personal information in accordance with applicable data protection laws. If you would like to stop receiving our Newsletters, you may simply unsubscribe at the bottom of the email at any time.

We are pleased to share this latest Newsletter with you, to keep you apprised of our observations into the performance of the EB2 NIW Program in 2025. As always, you will find our regular press review following this update. While your interest might be focused on Pilots, we would like to highlight that the EB2 NIW Program is also a viable option for AMEs and STEMs, as noted below.

As of today, we are proud to have successfully helped over 500 pilots and family members achieve their goal through the EB2 NIW for pilots.

**Operational Strains on USCIS**

USCIS is currently facing an unprecedented backlog in processing EB2 NIW petitions. In the first half of 2025 alone, over 37,000 applications were submitted, yet only about 18,000 decisions were issued. When factoring in cases carried over from previous years, more than 64,500 petitions are still awaiting a final decision. The estimated processing time for an I-140 petition now stands at approximately 18 months.

The years 2023 and 2024 saw record-breaking volumes of EB2 applications filed, as well as all time high numbers of approvals, with around 25,000 to 30,000 approvals each year. However, USCIS is now under considerable strain, and the pace of decisions (whether approvals or denials) has noticeably slowed. The denial rate for all EB2 NIW petitions (not just pilots) in the first half of 2025 is around 35%.

There are no statistics available specifically for pilots, but we believe that the denial rate for this profession alone might be higher. There is still no clear pattern in decision-making, and outcomes do not always seem to correlate directly with applicants' qualifications or experience. Although approvals are still coming through, we encourage clients to approach this process with realistic expectations and a flexible mindset.

**2025 Observations**

Our recent observations suggest that 2022 to 2024 may have been a Golden Era for pilots. USCIS now seems to be adopting a more conservative stance, which could mean a continued rise in denial rates.

With this in mind, we advise against making major life decisions such as purchasing property or enrolling children in new schools, until your petition is fully adjudicated.

While approvals are still being issued, the process is certainly becoming more stringent. For instance, the USCIS Policy Guidance update from January 2025 clarified that Advanced Degrees must relate to the applicant's area of expertise; and expressly provides that a labor shortage alone is no longer sufficient to justify National Interest.

Now more than ever, it is essential to submit a well-prepared and thoroughly documented petition. Officers are taking longer to review cases and applying a narrower lens when appreciating a submission.

If a petition is denied, refiling remains the option of choice over appeals. Fresh submissions are usually reviewed by a different officer who may interpret a submission more favorably.

### **DS-260 Progress**

Overall, there has been positive movement in the DS-260 process this year. The Final Action Date for the EB2 category advanced to October 15, 2023 for all chargeability areas (excluding Mainland China and India) as of July 2025. However, the August 2025 Visa Bulletin has adjusted the date back to September 1, 2023. We will continue to monitor these developments closely.

### **Reminder: Re-Entry Permits**

As a quick reminder from our previous Newsletter: if you or your dependents need additional time before relocating to the U.S. after receiving your green card, a Re-Entry Permit may be a helpful solution. This permit allows you to remain outside the U.S. for up to two years without jeopardizing your permanent resident status.

It is important to remember that maintaining the U.S. as your primary residence is a requirement for keeping your green card. If you think a Re-Entry Permit might be right for you, please reach out to your HLG representative to discuss your options.

### **Spotlight on AMEs and STEMs**

The EB2 NIW program is not limited to the pilots. Today, Aircraft Maintenance Engineers (AMEs) and Science, Technology, Engineering and Mathematics (STEMs) professionals can also benefit from this unique route.

**AMEs:** In light of the unfortunate recent aviation incidents recorded by FAA, aviation safety continues to be one of the top issues in the United States. The aviation maintenance industry is still facing challenges in recruiting and retaining qualified professionals. There are recent reports forecasting a shortfall of more than 25,000 aviation technicians in the U.S. by 2028. Introducing foreign qualified AMEs' skills would align with the U.S. national interest needs, and there are significant opportunities for such professionals in the U.S.

**STEMs:** Despite ongoing discussions about the reductions and adjustments to federal STEM research funding and grants, the U.S. continues to invest in high-tech and critical innovation sectors, as a demand for highly skilled STEM professionals remains. This suggests that highly skilled STEMs professionals who can bring specialized expertise to fields the U.S. considers critical should be highly sought after.

As always, HLG is here to support you and your family throughout your immigration journey. We remain committed to providing thoughtful guidance and ensuring compliance with all relevant regulations.

Best regards,

**Jean-Francois Harvey**

Founder & Worldwide Managing Partner

### **PRESS REVIEW**

1. Bureau of Transportation Statistics, [U.S. Cargo and Passenger Airlines Gained 4,231 Jobs in March 2025](#), 14 May 2025

- Within March of 2025, U.S. passenger airlines employed 546,947 workers, equating to 54% of the industry-wide total.
- FedEx, the leading air cargo employer, increased employment

within its company by 1,584 jobs

2. Flying Magazine, [Senators Push to Raise Global Pilot Retirement Age](#), Ryan Ewing, 18 July 2025
  - A bipartisan cohort of U.S. senators are urging the Trump administration to support efforts to raise the retirement age of commercial pilots from 65 to 67.
  - The aim of this attempt is to preserve pilot experience and reducing accidents while continuing with technical and medical evaluation.
3. CAPA, [Aviation: Pilot Supply Remains A Challenge to the World's Airlines](#), 8 August 2025
  - CAE estimated that growth in cockpit crew of 3.5% pa is needed to 2034
  - Pilot supply is likely to remain one of the factors constraining airline capacity.
4. Capitology Blog, [Aviation Career Demand Outlook for 2025: The World Needs More Pilots Capitol Technology University](#), 3 April 2025
  - Various reports have confirmed the need for pilots to meet the demand both globally and within North America.
  - The U.S. Bureau of Labor Statistics estimates that there will be 18,500 openings for airline and commercial pilots each year over the next decade. This forecast points to incredible car
5. Simple Flying, [American Airlines' Regional Operation Expands With 33 New Embraer E175s](#), Jake Hardiman, 10 June 2025
  - American Airlines is set to expand its regional fleet in the coming years following the announcement of a major order from its wholly owned subsidiary, Envoy Air.
  - The carrier operates regional and feeder flights on behalf of the Fort Worth-headquartered founding member under the American Eagle brand, and, having previously flown various turboprop designs, it now favours Embraer E-Jets.
6. Josh Christenson, [Air travel will be 'worse' this summer, lawmakers warn — as FAA gives infuriating update on system fixes, staffing issues](#), New York Post, 14 May 2025
  - Federal Aviation Administration (FAA) officials have announced that it will take over a year to update the aging infrastructure as well as complete recruitment for controllers.
  - The FAA is currently short of roughly 3,000 air traffic controllers and is preparing to hire 2,000 air traffic controllers by the end of the year.
7. Tamir Eshel, [U.S. Accelerates Drone and eVTOL Integration: What the New Executive Order Means for America](#), Defense Update, 10 June 2025
  - An executive order was signed by President Donald Trump regarding unmanned aircraft systems (UAS) to improve the safe integration of UAS, or drones, within the airspace, while expanding American export of such drones.
  - To ensure U.S. maintains global leadership within this sector, the order commands faster testing, regular operation of drones, alongside an increase of domestic production.
  - The order represents a significant opportunity to expand

commercial operations and innovate in both drone and eVTOL technologies

8. Quantum News, [US Air Force Expands C3 AI Contract to \\$450 Million for Predictive Aircraft Maintenance](#), Quantum Zeitgeist, 29 May 2025

- The U.S. Air Force has increased their contract ceiling with C3 AI from \$100 Million to \$450 Million, allowing them to improve the platform used for aircraft maintenance, Predictive Analytics and Decision Assistant (PANDA).
- This increased contract ceiling allows PANDA to be scaled to a wider range of aircraft, allowing for the conduction of a more holistic assessment of aircraft health, ensuring the safety of aircraft by assessing failures before they occur.

9. CNBC, [Trump wants to bring manufacturing jobs back. The aviation industry can't hire fast enough](#), Leslie Josephs, 8 June 2025

- President Trump has announced that he plans to strengthen employment within the manufacturing industry, including areas such as aircraft maintenance and manufacturing.
- The U.S. aviation industry is facing a wave of retirements for aircraft technicians and other skilled aviation workers.
- Airlines and aerospace companies are trying to get more younger people interested in the field.

10. The New York Times, [16 States Sue Trump Over \\$1.4 Billion in Science Cuts](#), Benjamin Weiser and Katrina Miller, 28 May 2025

- Sixteen states in the U.S. sued the Trump administration, creating a lawsuit asking the court to block the cuts for programs, arguing that the funding is crucial for U.S. to continue being a leader in STEM.
- These cuts were aimed towards projects related to increasing participation of women, minorities and people with disabilities within STEM, capping the funds at 15% of the initial granted funds.
- According to a list published by the N.S.F., over 1,700 grants were cancelled, amounting to USD 1.4 billion worth of grant cuts.

11. Bombardier, [Bombardier to Launch Major U.S. Services Expansion Initiative Across Multiple States](#), Christina Lemyre McCraw, 7 August 2025

- Bombardier's U.S. Services network is set to grow through a multi-phase, multi-site expansion initiative focusing on existing geographies where the company operates, in addition to new ones
- The expansion initiative is expected to generate a need for highly skilled labor, with Bombardier anticipating new jobs created for each project
- The planned phased investments will add the required infrastructure as well as aim to offer a wider range of services and resources to support the company's growing customer base

12. FlightGlobal, [American Targeting 200-jet Long-haul Fleet by 2029](#), Howard Hardee, 24 January 2025

- American Airlines forecasts its fleet of long-haul aircraft will increase from about 125 to 200 jets by the end of the decade. That target figure includes about 40 anticipated Airbus A321XLRs.
- American Airlines' current and incoming 787s will be the "real workhorses" of the future long-haul fleet, while 777-300s "are going to be in the fleet for a long time", Isom says.

13. The Air Current, [Thrust into National Spotlight, Aviation Industry Pushes for FAA Budget Reform](#), Will Guisbond, 26 February 2025

- A coalition of trade associations, labor unions and consumer groups from every corner of the aviation industry is looking to capitalize on concerns spurred by several tragic air disasters to push for budgetary reform at the Federal Aviation Administration
- The group is rallying around a whitepaper that coins the effort as the National Airspace Safety Initiative (NASI) and is asking Congress to inject emergency funding into the FAA for air traffic control modernization initiatives and change the structure of the agency's primary funding source to allow for more long-term infrastructure investments.

*Disclaimer*

*The material contained in this Publication is solely intended to inform readers of general legal information and/or developments. It is not intended, and should not be relied upon, as a legal or other professional advice or an opinion of any kind. Harvey Law Group ("HLG") is not liable and in any way responsible for any harm or damages resulting from the use of the information contained on this Publication for legal or any other purposes. All rights reserved.*

Tel: +1 305 200 8863  
Fax: +1 305 705 6549  
Email: [contact@harveylawcorporation.com](mailto:contact@harveylawcorporation.com)

Harvey Law Group  
8th Floor, Brickell Arch, 1395 Brickell Ave  
Miami, Florida 33131

You are receiving this email because you previously subscribed to receive updates from us. We respect your privacy and process your personal information in accordance with applicable data protection laws. If you would like to stop receiving our Newsletters, you may simply [Unsubscribe](#) at any time.