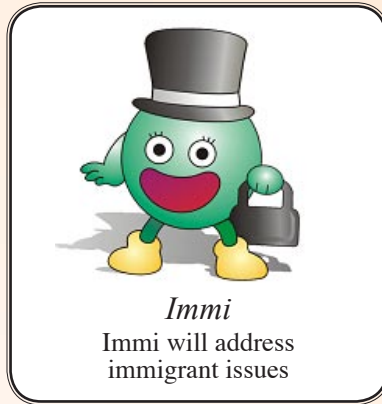


W The Olsen Law Firm IMMIGRATION WATCH

• VOLUME 5
• MAY/JUNE 2008

We welcome you to meet the Immis! They help us simplify the immigration process for you. The Immis are in every issue of our newsletter and act as your personal guides to various immigration topics.



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Immi, Jr. says:

Good News!! USCIS will issue Two-Year Employment Authorization Documents based on the applicant's priority date and the Department of State Visa Bulletin.

**USCIS to ISSUE TWO-YEAR
EMPLOYMENT AUTHORIZATION
DOCUMENTS**

Source: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)

New EADs Limited to Certain Individuals Who Have Applied for LPR Status

U.S. Citizenship and Immigration Services (USCIS) announced that beginning on June 30, 2008 it will issue Employment Authorization Documents (EAD) valid for two years.

The new two-year EAD is only available to individuals who have filed to become a lawful permanent resident (LPR) using a Form I-485, Application to Register Permanent Residence or Adjust Status, and filed for employment authorization under Section 274.a.12(c)(9) of Title 8, Code of Federal Regulations (8 C.F.R.) but are unable to become an LPR because an immigrant visa number is not currently available.

USCIS will decide whether to renew an EAD for either a one or two year validity period based on the most recent Department of State Visa Bulletin available at http://travel.state.gov/visa/frvi/bulletin/bulletin_1360.html.

For applicants who have an available immigrant visa number and who are filing for employment authorization under 8 C.F.R. Section 274.a.12(c)(9), USCIS will continue to grant EADs that are valid for one-year. USCIS may issue a two-year renewal EAD if the applicant's immigrant visa availability date retrogresses (when actual demand for visa numbers exceeds forecasted supply) after the Form I-485 is filed.

If an individual requests to replace an EAD that has not expired, USCIS will issue a replacement EAD that is valid through the same date as the previously issued EAD.

However, if the previous EAD has expired, USCIS will process the request for a renewal EAD and determine the

appropriate validity period based on the applicant's priority date and the Department of State Visa Bulletin.



Immi says:

Look!! The USCIS will begin accepting Form I-140 Premium Processing Service for certain alien workers who are nearing the end of their sixth year in H-1B status.

USCIS to OFFER PREMIUM PROCESSING For CERTAIN FORM I-140 PETITIONS

Source: [AMERICAN IMMIGRATION LAWYERS ASSOCIATION \(AILA\)](#)

U.S. Citizenship and Immigration Services (USCIS) announced that on June 16, 2008, it will begin accepting Premium Processing Service requests for Forms I-140 (Immigrant Petition for Alien Worker) filed on behalf of certain alien workers who are nearing the end of their sixth year in H-1B nonimmigrant status.

Premium Processing Service offers 15 calendar-day processing for designated employment-based petitions and applications upon request. There is a nonrefundable fee of \$1000 for this service. During the 15-day period, USCIS will issue either an approval or denial notice, a notice of intent to deny, a request for evidence, or open an investigation for fraud or misrepresentation.

USCIS previously designated certain classifications under Form I-140 for Premium Processing Service in the May 23, 2006 issue of the Federal Register. See 71 FR 29662.

USCIS is limiting Premium Processing Service for Form I-140 petitions that are filed on behalf of aliens:

- Who are currently in an H-1B nonimmigrant status;
- Whose sixth year will end within 60 days;
- Who are only eligible for a further extension of H-1B nonimmigrant status under section 104(c) of the American Competitiveness in the Twenty-first Century Act of 2000 (AC21); and
- Who are ineligible to extend their H-1B status under section 106(a) of AC21.

Section 104(c) of AC21 permits applicants to extend their stay in H-1B nonimmigrant status in increments of up to three years, provided they are the beneficiary of an approved Form I-140 and an immigrant visa is not immediately available. Section 106(a) of AC21 permits

applicants to extend their stay in H-1B nonimmigrant status in increments of up to one year, provided the Form I-140 petition or underlying labor certification has been pending for at least 365 days.



Citizen Immi says:

Make sure that you send your
Naturalization Application to the correct
USCIS addresses.

USCIS CENTRALIZES INITIAL NATURALIZATION APPLICATION PROCESSING

Source: [AMERICAN IMMIGRATION LAWYERS ASSOCIATION \(AILA\)](#)

Change to Increase Efficiency and Improve Customer Service

U.S. Citizenship and Immigration Services (USCIS) announced it has centralized initial processing of all applications for naturalization (Form-400) at its National Benefits Center in Missouri. This change is part of the USCIS initiative to increase the efficiency of case management and improve customer service.

This internal administrative change will not change where applicants file their naturalization applications. Applicants will continue to file their naturalization applications (N-400), including all supporting documents and fees with the USCIS Service Center having jurisdiction over their place of residence (see list below). Applicants will also continue to report to a local field office for the interview and naturalization test.

USCIS will send applicants a notice when the Service Center transfers their application to the National Benefits Center for initial processing. USCIS will also inform the applicant how to contact the National Benefits Center and how to check their local USCIS field office processing times. USCIS will return to the sender any application mailed directly from the applicant to the National Benefits Center.

Applicants should continue to send their N-400 application and supporting documents to the Service Center having jurisdiction over their place of residence, as follows:

AZ, CA, HI, NV, Guam, and the Northern Mariana Islands:
California Service Center
PO Box 10400, Laguna Niguel, CA 92607-1040

AK, CO, ID, IL, IN, IA, KS, MI, MO, MN, MT, NE, ND, OH,
OR, SD, UT, WA, WI and WY:
Nebraska Service Center
PO Box 87400, Lincoln, NE 68501-7400

AL, AR, FL, GA, KY, LA, MS, NM, NC, OK, SC, TN or TX:
Texas Service Center
PO Box 851204, Mesquite, TX 75185-1204

CT, DE, DC, ME, MD, MA, NH, NJ, NY, PA, RI, VT, VA, WV,
Puerto Rico, and the U.S. Virgin Islands:
Vermont Service Center
75 Lower Welden St., St. Albans, VT 05479-9400

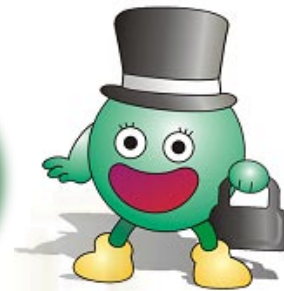
All military naturalization applicants filing under the provisions of Section 328 or 329, regardless of geographic location or jurisdiction, should continue to file at the following address:
Nebraska Service Center
P.O. Box 87426 Lincoln, NE 68501-7426

QUICK INFORMATION BYTES

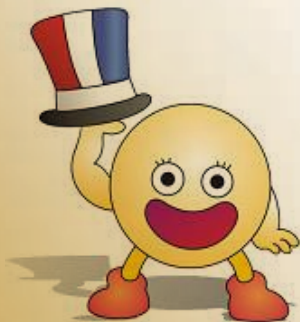


Immi, Jr. says: It is best to keep copies of I-94 cards (front and back) for reference.

Immi says: It is best to be aware that some states are now creating laws in regard to the area of immigration law compliance.



Citizen Immi says: The Form N-400 application process allows a foreign national to change his/her legal name via the Naturalization Oath Ceremony.



QUESTIONS AND ANSWERS

Explanation:

If you have questions concerning immigration related issues or concerns and are of a non-advice and pure general interest nature, please e-mail them to tolsen@tlolaw.com

IMPORTANT IMMIGRATION RELATED WEB SITES

- US Citizenship and Immigration Services
<http://www.uscis.gov/portal/site/uscis>
- Department of Labor
<http://www.dol.gov/>
- Department of State
<http://www.state.gov/>
- Embassies in Washington D.C.
<http://www.embassy.org/>
- Visa Bulletin
http://travel.state.gov/visa/frvi/bulletin/bulletin_1360.html



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