



# Straight from the Source

Immigration News from USCIS

March 2011

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**1. Special Relief for Travelers Impacted by Pacific Earthquake and Tsunami**--USCIS is making available special relief for Japanese and other nationals stranded in the United States due to the earthquakes and tsunami in the Pacific Rim.

- If someone has exceeded or is about to exceed their authorized stay in the United States, they may be authorized an extra 30 days to depart.

### **For visitors traveling under the Visa Waiver Program (VWP)**

- If you are at an airport, contact U.S. Customs and Border Protection at the airport.
- All others, visit the local USCIS office.

### **For visitors traveling under a nonimmigrant visa**

- Visit the local USCIS office. Bring your passport, evidence that you are stranded (such as an itinerary for the cancelled flight), and your I-94 departure record.

**2. E-Verify Self Check**—USCIS has launched the new E-Verify Self Check tool for users in Arizona, Idaho, Colorado, Mississippi, Virginia and Washington, D.C. E-Verify Self Check is voluntary, fast, free and secure and:

- gives people access to their employment eligibility status and guidance on how to correct their SSA and DHS records (if necessary) outside of the hiring process;
- gives workers information they can use to protect themselves from potential discrimination/misuse;
- will benefit U.S. businesses by reducing the number of data mismatches and the time spent resolving those mismatches.



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**3. USCIS Will Accept H-1B Petitions Beginning April 1, 2011**—USCIS will start accepting H-1B petitions subject to the fiscal year 2012 cap on April 1, 2011. Cases will be considered accepted on the date USCIS receives a properly filed petition for which the correct fee has been submitted (not the postmark date). For more information, click [here](#).

**4. USCIS Proposes an H-1B Electronic Registration System**—USCIS published a [proposed rule in the March 3 Federal Register](#) that would create an H-1B electronic registration system. The proposed system could save U.S. businesses as much as \$23 million over the next 10 years by minimizing administrative burdens and expenses related to the H-1B petition process—including reducing the need for employers to submit petitions for which visas would not be available under the statutory visa cap.

**5. Protection for Victims of Human Trafficking and Other Crimes**—As part of DHS's Blue Campaign to combat human trafficking, [USCIS will allow victims of human trafficking and sexual exploitation, and others who have filed civil action against their employer and held A-3 and G-5 visas, to remain and work legally in the U.S. while their civil cases are pending.](#) A-3 and G-5 visa holders are non-immigrant attendants, servants or personal employees of ambassadors, diplomats, consular officers, foreign government officials or international organization officers. In compliance with a 2008 law change, USCIS will add this small population to the list of groups eligible for deferred action. For more information about DHS's efforts to combat human trafficking, visit [www.dhs.gov/humantrafficking](http://www.dhs.gov/humantrafficking).

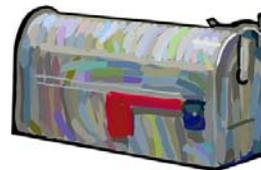


**6. USCIS Gives Some Salvadorans Interim EADs**—USCIS has announced that some existing [Salvadoran Temporary Protected Status beneficiaries will receive interim Employment Authorization Documents \(EADs\)](#) while their re-registration applications are being processed. USCIS has mailed about 4,500 EADs to Salvadorans who have not yet received a final action on their re-registration applications. The original expiration date for Salvadoran EADs was Sept. 9, 2010. USCIS automatically extended this validity period to March 9, 2011.



**7. Change of Address Forms Have New Filing Location**—Beginning April 1, 2011, [all Change of Address submissions \(Form AR-11 and Form AR-11 SR\)](#) need to be mailed to a new address:

DHS/USCIS  
Harrisonburg File Storage Facility  
Attn: AR-11  
1344 Pleasants Drive  
Harrisonburg, VA 22801



Change of address forms mailed to the old location will be forwarded to the new address until May 16, 2011. Customers can also notify USCIS of a change of address online.

## FY 2011 Citizenship and Integration Grant Program

New Funding Opportunities Available



**8. Citizenship Grant Application Deadline is April 1**—Reminder! The deadline to apply for a 2011 citizenship and integration grant is April 1, 2011. If you are interested in applying, do not delay. For more information visit [www.uscis.gov/grants](http://www.uscis.gov/grants) or contact the USCIS Office of Citizenship at 202-272-1280 or by e-mail at [citizenshipgrantprogram@dhs.gov](mailto:citizenshipgrantprogram@dhs.gov).



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**9. Strategic Goals & Initiatives for 2011**—On February 18, [Director Mayorkas held a press conference where he spoke about USCIS's strategic goals and initiatives for 2011](#). The full transcript of his comments is available at the link above. USCIS's notable achievements in 2010 include:

- Administering TPS for Haiti and developing and executing a humanitarian parole program for Haitian orphans;
- Unveiling a new green card and naturalization certificate, both of which incorporate enhanced security features;
- Implementing the use of passport photographs in the E-Verify program;
- Expanding the citizenship grant program;
- Launching the first-of-its-kind online Citizenship Resource Center at [www.uscis.gov/citizenship](http://www.uscis.gov/citizenship);
- Meeting, for the first time, the cap of 10,000 U visas for victims of crime;
- Initiating the most comprehensive policy review in agency history to improve consistency and clarity in agency operations and procedures;
- Issuing the first precedent appeals decisions in 12 years;
- Developing and implementing the first-ever process for posting agency policy guidance for public comment;
- Holding an unprecedented number of telephonic stakeholder engagements, including several conducted entirely in Spanish;
- Naturalizing about 620,000 people;
- Issuing about 565,000 green cards; and
- Approving about 1.2 million I-129 and I-120 petitions combined.

**10. Virtual Tour of the National Benefits Center Postponed**—The “virtual tour” of the National Benefits Center previously scheduled for March 25 has been postponed. The virtual tour is currently scheduled Monday, May 2, at 2:30 pm Central Time. Check the national engagement calendar on our website for details on how to participate: [www.uscis.gov/publicengagement](http://www.uscis.gov/publicengagement).



**11. Be Aware of Diversity Visa Scams**—Many people have contacted USCIS about fraudulent e-mails or letters saying they have been selected in the Diversity Visa program. The scammers pose as the U.S. government in an attempt to get money from people hoping to get a visa. Be very cautious about responding to any suspicious e-mails or letters. The U.S. Department of State runs the Diversity Visa Program and has everything applicants need to know at this [website](#).

**12. H-1B Cap Exemptions Based on Relation or Affiliation**—In response to recent stakeholder feedback, USCIS has announced that it is reviewing its policy on H-1B cap exemptions for non-profit entities that are related to or affiliated with an institution of higher education. Until further guidance is issued, USCIS is temporarily applying interim procedures to H-1B non-profit entity petitions filed with the agency seeking an exemption from the statutory H-1B numerical cap based on an affiliation with or relation to an institution of higher education. For more information click [here](#).

**13. Do Practitioners Offering Pro Bono Assistance at Large Events Need to Submit a G-28?**—On February 18, 2011, USCIS issued a [statement regarding immigration practitioners who volunteer to assist aliens at large events and if they are required to submit a G-28 form](#). The first part of the statement reads: “The Department of Homeland Security (DHS) supports the efforts of immigration practitioners who volunteer to assist aliens at



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community events. USCIS announced that, until further notice, DHS does not intend to initiate disciplinary proceedings against practitioners (attorneys and accredited representatives) based solely on the failure to submit a Notice of Entry of Appearance as Attorney or Accredited Representative (Form G-28) in relation to pro bono services provided at group assistance events.” For more details click on the link above.

**14. Several New Policy Memos Issued**—USCIS issued and posted the following policy memos on our website at: [www.uscis.gov>laws>policy memoranda](http://www.uscis.gov/laws/policy-memoranda)

- March 7—[Extension of Status for T and U Nonimmigrants; Revisions to Adjudicator's Field Manual \(AFM\) Chapter 39.1\(g\)\(3\) and Chapter 39.2\(g\)\(3\) \(AFM Update AD11-22\)](#)
- February 23—[Implementation of New Discretionary Exemption Under INA Section 212\(d\)\(3\)\(B\)\(i\) For the Receipt of Military-Type Training Under Duress](#)
- February 23—[Implementation of New Discretionary Exemption Under INA Section 212\(d\)\(3\)\(B\)\(i\) For the Solicitation of Funds or Members under Duress](#)
- February 11—[Issuance of Advance Parole Employment Authorization Document; Revisions to Adjudicator's Field Manual \(AFM\) Chapters 54.2\(b\), 54.3\(d\)\(3\), 54.3\(e\) \(h\), and 55.3, and addition of Appendices 55-4, 55-5, 55-6, and 55-7 \(AFM Update AD07- 27\)](#)

**15. Upcoming National Engagements**—USCIS manages a comprehensive calendar of engagement events to solicit public feedback on USCIS procedures and policies. You may wish to bookmark our calendar for future reference:

[www.uscis.gov/publicengagement](http://www.uscis.gov/publicengagement). Click on the links below for details.

- March 23—[Teleconference with Q & A I-360 Violence Against Women, T & U Visa](#). The Vermont Service Center is hosting a teleconference to discuss I-360 VAWA cases and T & U visa cases at 1:00pm (Eastern).
- March 24—USCIS will host a teleconference engagement on the [O Nonimmigrant Visa](#) at 1:00PM (Eastern) regarding the subject of agents performing the function of employer for the O nonimmigrant visa classification.
- March 29—[The USCIS Service Center Operations Directorate will host its monthly stakeholder teleconference](#) at 2pm (EST).
- April 12—[The USCIS Asylum Division will host its quarterly stakeholder meeting](#) at 2:00 pm (Eastern) in the White Oak Conference Room at 20 Massachusetts Ave. NW, Washington, DC. Stakeholders may attend in person only.
- April 14—USCIS will host a teleconference on the unauthorized practice of immigration law (UPIIL) at 2:00 pm Eastern Time. USCIS and the BIA will provide an overview of the BIA accreditation and recognition process. To participate, send an email to [USCIS-IGAO Outreach@dhs.gov](mailto:USCIS-IGAO Outreach@dhs.gov) by March 31, and write “Capacity Building” in the subject line. Include your full name and the organization you represent in the body of the email. Once you RSVP, USCIS will send you call-in details.



Straight from the Source is produced monthly by the USCIS Western Region Community Relations Program to provide a helpful “wrap-up” of key developments for USCIS stakeholders and customers. Please feel free to share this with colleagues and clients. To submit feedback and suggestions, or to be added to the distribution list, please e-mail [janna.evans@dhs.gov](mailto:janna.evans@dhs.gov).