



# Straight from the Source

## Immigration News from USCIS

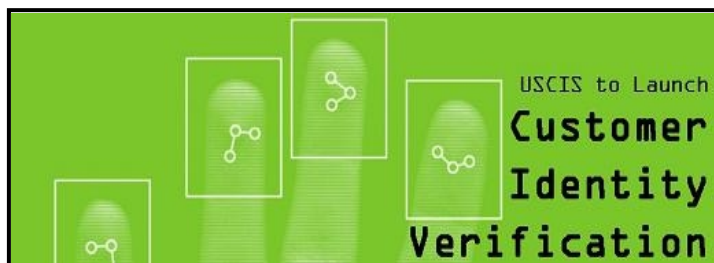
April 2013

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**1. New Customer Identity Verification**—On May 6, 2013, we will implement Customer Identity Verification (CIV) in our field offices. Under CIV, we will electronically re-verify someone's identity if they come for an interview or to get evidence of an immigration benefit (i.e. temporary travel documents, parole authorizations, temporary extensions of Form I-90, and temporary I-551 stamps).

The process entails taking two fingerprints and a photograph of the customer and inputting this information into the U.S. Visitor and Immigrant Status Indicator Technology's (US-VISIT's) Secondary Inspections Tool (SIT). SIT is a Web-based application that processes, displays, retrieves biometric and biographic data, and connects with border inspections and security databases. After we verify the person's identity, they can proceed to their interview or request their documents. People who come to our office for Info Pass appointments or to accompany a client or family member will not need to undergo this process. The goal of CIV is to enhance national security and protect customers from identity fraud. For more information, click [here](#).



**2. Provisional Unlawful Presence Waiver Application Rejections**—Since March 4, we've been accepting applications for Provisional Unlawful Presence Waivers (Form I-601A). We had to reject many applications because customers did not submit proof that they paid the Immigrant Visa Application Fee to the U.S. Department of State (DOS). We **cannot** accept Form I-601A **unless** it includes evidence that the applicant paid the Immigrant Visa Application Fee. To avoid delays, make sure you:

- Pay the Immigrant Visa Application Fee before you submit Form I-601A to USCIS;
- Send a copy of the Immigrant Visa Application Fee receipt with your I-601A application; and
- Make sure the receipt you send is the official DOS-issued receipt with the National Visa Center Case Number clearly visible. Other types of receipts (i.e. money order receipts) will not be accepted.



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For information on how to get an Immigrant Visa Application Fee receipt, visit the DOS website at [www.immigrantvisas.state.gov](http://www.immigrantvisas.state.gov). For details on the Provisional Unlawful Presence Waiver, visit [www.uscis.gov/i-601a](http://www.uscis.gov/i-601a).

### 3. USCIS Announces Citizenship Grant

**Opportunities**—We've announced the availability of nearly \$10 million in grant funding for citizenship preparation programs. Applications are due by May 22, 2013.

Through this grant opportunity, we seek to expand the availability of high-quality citizenship preparation services. Organizations selected to receive funding will offer both citizenship instruction and naturalization application services to permanent residents. We expect to announce about 40 award recipients in September 2013. Since 2009, we have awarded \$23.2 million through 142 grants to immigrant-serving organizations that have provided citizenship preparation services to more than 51,000 permanent residents in 31 states and the District of Columbia. To apply, visit [www.grants.gov](http://www.grants.gov) as soon as possible. You will need to register before you can complete the application process. For more information, visit [www.uscis.gov/grants](http://www.uscis.gov/grants) or contact our Office of Citizenship at [citizenshipgrantprogram@uscis.dhs.gov](mailto:citizenshipgrantprogram@uscis.dhs.gov).



**4. USCIS Reaches FY 2014 H-1B Cap**—For the first time since 2008, we reached the statutory H-1B cap of 65,000 for fiscal year (FY) 2014 within the first week of the filing period. We also received more than 20,000 H-1B petitions filed on behalf of persons exempt from the cap under the advanced degree exemption. We received about

124,000 H-1B petitions total. On April 7, 2013, we used a computer-generated “lottery” to select enough petitions needed to meet the 65,000 and 20,000 caps. We conducted the selection process for advanced degree exemption petitions first. All advanced degree petitions not selected were included in the random selection process for the 65,000 limit. We will reject and return petitions and filing fees for any cap-subject petitions that were not randomly selected.

**5. Tips for Filing Form I-539**—We remind applicants to submit all required evidence when they file Form I-539, Application to Extend/Change Nonimmigrant Status. The required initial evidence for nonimmigrants requesting an extension of stay is listed in the instructions for Form I-539. Evidence is required whether applications are mailed or submitted electronically. We encourage I-539 applicants to review these Helpful Filing Tips and to keep these additional tips in mind:

- Upload all required evidence when you file your application in USCIS ELIS;
- If USCIS ELIS has already accepted your case, you can submit evidence up until we make a final decision; and
- You can upload evidence by logging into your USCIS ELIS account, clicking “**View My Cases,**” and clicking “**View/Submit Additional Documents for Consideration.**”

It is especially important for people who have a B-2 visitor visa to submit evidence with their application because B-2 nonimmigrants who are denied an extension of stay cannot file an appeal. If you have a B-2 visitor visa and want to extend your stay, remember to include the following documents when you file:

- The original I-94, Arrival-Departure Record, or a front and back copy;
- A copy of your passport; and
- A statement explaining why you are requesting an extension of your stay in the United States.

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**6. TPS for Honduras and Nicaragua Extended**—DHS has extended Temporary Protected Status (TPS) for Honduras and Nicaragua for 18 months until Jan. 5, 2015. Current Honduran and Nicaraguan beneficiaries who want to extend their TPS status must re-register by June 3, 2013. We encourage people to register as soon as possible. The 18-month extension also allows people to apply for a new work permit, which must be submitted by June 3, 2013. We are also automatically extending current TPS Honduran and Nicaraguan work permits that expire July 5, 2013 until Jan. 5, 2014. To re-register, current TPS beneficiaries must submit the following forms and fees:

- Form I-821, Application for Temporary Protected Status (no fee)
- Form I-765, Application for Employment Authorization. If you want a work permit, you will need to pay \$380.00. If you do not want a work permit, you still must submit Form I-765 but you do not have to pay the fee.
- If you are 14 or older, you must also pay \$85.00 to have your photo and fingerprints taken.
- If you feel you cannot afford these fees, you can request a fee waiver using Form I-912 or by submitting a written request for the fee to be waived.

More information on the TPS application process and eligibility is available at [www.uscis.gov/tps](http://www.uscis.gov/tps).

**7. USCIS Resumes Adjudication of All H-2B Petitions**—On April 25, 2013, we resumed processing H-2B petitions for temporary non-agricultural workers. On March 22, 2013, we temporarily suspended adjudication of most H-2B petitions while the government considered its response to the Court order in *Comite de Apoyo a los Trabajadores Agricolas et al v. Solis*, 2:09-cv-00240-LDD (E.D. Pa). The Court Order vacated a portion of the 2008 wage methodology rule dealing with the way the Department of Labor (DOL) determines the prevailing wage when relying on the Bureau of Labor Statistics' Occupational Employment Statistics (OES) survey. The Court order also gave DOL 30 days to come into compliance.

### Interim Final Rule

DHS and DOL jointly published the Interim Final Rule (IFR), Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program, Part 2, in the Federal Register on April 24, 2013. This IFR revises the prevailing wage methodology used by DOL to calculate certain prevailing wages paid to H-2B workers and U.S. workers recruited in connection with an H-2B Application for Temporary Employment Certification. This IFR applies to H-2B work being performed on or after April 24, 2013, including by people currently working under an H-2B petition that was approved before April 24, 2013. Employers who have H-2B workers performing work on or after April 24, 2013, will receive a new prevailing wage determination from DOL in accordance with this IFR, if the original prevailing wage determination was based on the Occupational Employment Statistics (OES) survey four-tier wage system.

**8. SAVE Educational Materials**—SAVE, the Systematic Alien Verification for Entitlements (SAVE) program, is a service we provide (for a fee) to benefit-granting agencies at all levels of government. When a participating agency sends us a request, we provide a person's immigration status and the benefit-granting agency then determines if it can grant the benefit the person is seeking. We have a new brochure that explains the immigration status verification process in 18 languages at [www.uscis.gov/save](http://www.uscis.gov/save) under "Publications." We also have a postcard that explains the most common reasons benefit applicants are not verified during the initial verification step and offers tips. For more information please visit the SAVE website at [www.uscis.gov/save](http://www.uscis.gov/save).

**9. FY2012 Accomplishments**—Fiscal Year 2012 was a busy year. Check out our 2012 accomplishments!



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**10. E-Verify Listens**—We are grateful for the great ideas you've shared in the past and want to hear more from you at [E-Verify Listens](#), a new online forum



where users can submit, vote for, and discuss ideas. This platform lets you submit your ideas, discuss and refine ideas others submit, and vote for the ones you like best. [Read our latest blog](#) to learn how sharing your ideas can make E-Verify even better in the future. Please note: If you are an employer/employee who needs help with a specific E-Verify problem, do not use the blog to share any information about your situation. Instead, please visit [www.dhs.gov/everify](http://www.dhs.gov/everify).



**12. Upcoming National Engagements**—USCIS manages a comprehensive calendar of public engagements to solicit feedback on USCIS procedures and policies. Please bookmark our engagement calendar for future reference: [www.uscis.gov/publicengagement](http://www.uscis.gov/publicengagement). Click on the links below for details:

- **May 1, 2013**—We will host a web-ex training for law enforcement officials on [Immigration Relief for Victims of Human Trafficking and Other Serious Crimes](#) from 1:00-2:30 pm (Eastern).
- **May 7, 2013**—We will host a national stakeholder call to discuss the recently revised [Form I-9](#) at 2:30 p.m. (Eastern).
- **May 8, 2013**—We will host a Spanish language engagement called “[A Conversation with USCIS](#)” from 7:30-9:00 pm (Eastern). This is an opportunity for Spanish speakers to hear agency updates and ask questions on any topic.
- **May 9, 2013**—The Texas and Nebraska Service Centers will hold a [Business Representatives Engagement](#) from 8:00 am - 4:00 pm (Central Daylight Time). This is an in-person engagement only. Up to 20 people may tour the Lewisville Lockbox facility on May 8. The link above has more details on how to participate.
- **June 19, 2013**—We will host a web-ex training for stakeholders on [Immigration Relief for Victims of Human Trafficking, Domestic Violence, and Other Serious Crimes](#) from 2:00-4:00 pm (Eastern).



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 share this with colleagues and clients. To submit comments, or to be added to the distribution list, please e-mail [janna.evans@dhs.gov](mailto:janna.evans@dhs.gov).