



Straight from the Source

Immigration News from USCIS

February 2012

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1. USCIS Announces Expansion of Self Check—Self Check, a free online service that allows workers to check their own work eligibility status, is now available in all 50 states, Washington, D.C., Guam, Puerto Rico, the U.S. Virgin Islands and the Commonwealth of Northern Mariana Islands. Self Check is the result of a collaboration between DHS and the Social Security Administration (SSA) aimed at

giving people a way to check their own work authorization status, as well as guidance on how to correct their DHS and SSA records. The first online E-Verify service offered to workers in English and Spanish, Self Check mirrors how employers use E-Verify. For more information, visit www.uscis.gov/selfcheck.

2. USCIS Unable to Process Adoptions from Vietnam—Until further notice, USCIS cannot approve Form I-800 filed for a child to be adopted from Vietnam. The Department of State (DOS) determined that Vietnam has not complied with *The Hague Adoption Convention* and, as a result, DOS consular officers cannot issue the required certificates allowing adoptions from Vietnam. USCIS strongly urges U.S. adoptive parents not to file Form I-800 on behalf of a Vietnamese child, or Form I-800A, *Application for Determination of Suitability to Adopt a Child from a Convention Country*, identifying Vietnam as the country from which they seek to adopt. USCIS cannot approve Form I-800 or Form I-800A without DOS certification. When DOS believes Vietnam can meet its obligations to the *Hague Adoption Convention*, USCIS will promptly alert the public. For details, please see the Oct. 16, 2008 [USCIS Update](#) and [Frequently Asked Questions](#).



OMB No. 1615-0029	
I-601, Application for Waiver of Grounds of Inadmissibility	
Block. For Government use only.	
File under:	Fee Stamp
<input type="checkbox"/> 212(a)(6) _____ <input type="checkbox"/> 212(a)(9) _____ <input type="checkbox"/> 212(a)(10) _____ <input type="checkbox"/> Other _____	

3. USCIS Proposes Changing the Process for Certain Waivers of Inadmissibility—On Jan. 6, USCIS posted a [notice of intent](#) in the Federal Register outlining its plan to change the adjudication procedures for certain applications for waivers of inadmissibility filed with an immediate relative immigrant visa application. The changes would allow the spouse and child(ren) of U.S. citizens to request provisional waivers before leaving the United States for

consular processing of their immigrant visa applications. An alien could obtain the waiver only if a Petition for Alien Relative, Form I-130, is filed by a U.S. citizen on his/her behalf and that petition is approved, thereby classifying the alien as an "immediate relative." In addition, the alien would need to demonstrate that the denial of the waiver would result in extreme hardship to the alien's U.S. citizen spouse or parent "qualifying relative." The qualifying relative for the purpose of the waiver is not necessarily the immediate relative who filed the immigrant visa petition. The notice limits the new process to people who are inadmissible based solely on having accrued unlawful presence and who can demonstrate extreme hardship to their U.S. citizen relative. An alien who is inadmissible based on other grounds (i.e. criminal history) would not be eligible for this provisional waiver. The new process would allow people to apply for waivers and receive a provisional determination of waiver eligibility before they leave the U.S. for visa processing. This would create a more predictable and transparent process, improve processing times, and minimize family separations. USCIS has not yet issued a proposed rule. When we do, we will post it on our website and alert stakeholders through normal channels. For a transcript of Director Mayorkas' press conference on this topic, click [here](#). To see the fact sheet, click [here](#).

4. New Streamlined Process for Submitting Information Used in VIBE—VIBE uses commercially available data from an independent information provider to validate basic information about companies or organizations petitioning foreign workers. This information enhances USCIS's adjudication of certain employment-based petitions. Dun and Bradstreet (D&B), the current independent information provider for VIBE, recently launched a new streamlined process where eligible petitioners can update their company or organization information via [D&B's iUpdate for U.S. government customers](#) Web page. For details, please read this [Q&A](#).

5. USCIS Opens New Office in Queens—USCIS officially opened its [newest immigration field office](#) in Queens, NY, on January 20. The new office, located at 27-35 Jackson Ave., consists of waiting rooms, an Application Support Center (to take fingerprints and photos) a naturalization ceremony room, and interview and file rooms. The building used to be a warehouse and has been renovated to create a modern and efficient office space. The Queens office expects to serve about 500 people each day from 7:00 a.m. to 3:30 p.m.

6. DHS Approves 58 Countries Whose Nationals May Participate in H-2A and H-2B Programs—DHS, in consultation with the Department of State, has published a [list](#) of 58 countries whose nationals are eligible to participate in the H-2A and H-2B programs for one year. The H-2A program allows U.S. employers to bring foreign nationals to the United States to fill temporary agricultural jobs. The H-2B program is for temporary nonagricultural jobs. For a complete listing of the eligible countries, please click [here](#).





7. Temporary Protected Status

Extended for El Salvador—DHS has extended Temporary Protected Status (TPS) for eligible nationals of El Salvador for 18 months, beginning March 10, 2012, and ending Sept. 9, 2013. Current Salvadoran TPS beneficiaries who want to extend their TPS status must re-register by March 12, 2012. USCIS encourages

people to register as soon as possible. The Federal Register notice incorrectly stated that re-registration applications must be filed by March 9, 2012. The correct filing deadline is March 12, 2012. The 18-month extension also allows TPS re-registrants to apply for a new Employment Authorization Document (EAD). Eligible Salvadoran TPS beneficiaries who re-register on time will receive a new EAD with an expiration date of Sept. 9, 2013. USCIS recognizes that all re-registrants may not receive their new EADs until after their current EADs expire. Therefore, USCIS is extending the current TPS El Salvador EAD bearing a March 9, 2012, expiration date for 6 more months, through Sept. 9, 2012. For details please visit www.uscis.gov/tps.



8. Transformation Video posted on USCIS.gov—USCIS is developing a simplified, Web-based case management system that will allow customers to submit and track their applications online. The initiative is known internally as “Transformation.” The agency’s transition from paper to electronic case processing will enhance USCIS’s accuracy, security and timeliness. We have posted a video to our website that shows how a customer can set up an online account and submit a request to extend or change nonimmigrant status (Form I-539) using the new system. The video also highlights the proposed design and key features of the new system. Please bear in mind this video is for demonstration purposes only. We continue to make modifications, so the actual system may look different from this example video. To view the video go to www.uscis.gov/transformation and click on “USCIS ELIS video” in the middle of the page.

9. USCIS Now Mailing Receipt and Approval Notices Directly to Applicants/Petitioners—In September 2011, USCIS began sending original I-797 receipt and approval notices directly to applicants and petitioners. Copies of the notices are being sent to attorneys or accredited representatives if Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, is on file. Before this change, our process was to send the original notice to the attorney or accredited representative and send a copy to the applicant/petitioner. We changed the procedure to ensure that important documents (such as I-94 Arrival-Departure Records) are sent directly to the applicant/petitioner. Our objective is to make sure that original receipts, decisions, and documents are sent to the party making the request. For more information, please click [here](#).

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10. New Policy Memos Issued—USCIS issued and posted the following policy memo at: [www.uscis.gov>laws>policy memoranda](http://www.uscis.gov/laws/policy-memoranda)

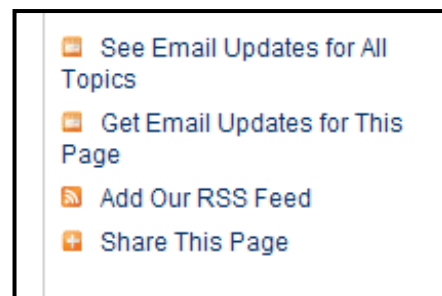
- January 17, 2012—[The Role of Private Attorneys and Other Representatives](#)
- January 13, 2012—[Extension of Validity of Medical Certifications on Form I 693](#)



11. 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. Click on the links below for details:

- **February 22, 2012**—USCIS Director Mayorkas and senior leadership will launch the Entrepreneurs in Residence (EIR) initiative with an informational summit. Discussion will focus on how to ensure that immigration pathways for foreign entrepreneurs are clear, consistent, and better reflect today's business realities. The summit will take place from 8:30AM - 5:30PM (Pacific Standard Time) at NASA Research Park, Building 152, Moffett Field, CA. For details click [here](#).
- **March 1, 2012**—USCIS will hold a Spanish language engagement on [Self Check](#) at 3:30PM (Eastern Time).

12. Sign Up for E-mail Updates from USCIS.gov—If you haven't already done so, consider signing up for e-mail updates from USCIS. This is a great way to stay on top of the latest news. On the lower right hand side of our home page click on "See E-Mail Updates for All Topics." This will take you to a listing of all the USCIS updates you can sign up for. When you are done with that, it also gives you the option of signing up for updates from many other Federal agencies, including TSA and the State Department.



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.