



www.llmlaw.com

immigration@llmlaw.com

LL.M. Law Group
Immigration News
April 2007

1. H-1B Visa Quota Exhausted On First Day

The U.S. Citizenship and Immigration Services (USCIS) has announced that it has received enough H-1B petitions to meet the congressionally mandated cap. Petitions filed on behalf of current H-1B workers do not count towards the H-1B cap. Accordingly, USCIS will continue to process petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States.
- Change the terms of employment for current H-1B workers.
- Allow current H-1B workers to change employers.
- Allow current H-1B workers to work concurrently in a second H-1B position.

U.S. businesses utilize the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers. As the cap has been reached, employers and foreign nationals will be required to look at alternative options in order to obtain employment authorization.

2. Consular Posts Abroad Resume Accepting Forms I-130

The Department of State announced that consular posts abroad will accept petitions for immediate relative immigrant classification from American citizens who are resident in their consular districts, effective immediately.

3. I-485 Applications Going to New Service Centers

The Applications to Register Permanent Residence or Adjust Status (Form I-485), including cases that are subject to visa retrogression and security/background checks, are being transferred from the California Service Center to Nebraska Service Center, and from the Vermont Service Center to the Texas Service Center due to the re-organization of the USCIS. Transferred cases will be processed based upon the original filing date and not the date of the transfer.

4. Government Filing Fee Increase

USCIS has announced a proposal to raise immigration filing fees by an average of 66%. These fee increases will provide enough funding for national security, customer service improvements, and new technology and business process platforms. In addition to raising fees, the USCIS also proposes to eliminate certain fees. For instance, while the fee for Form I-485 (Application to Register Permanent Residence or Adjust Status) may be raised from \$325 to \$905, applicants will not be required to pay separate fees for the interim benefits of advance parole and employment authorization while the adjustment application is pending.

5. Visa Bulletin for April 2007 Released

The cut-off dates for Mexico and the Philippines in the third preference family-based category have retrogressed. In May, retrogression is expected in the first preference family-based category for Mexico. It is also likely that the employment-based third preference "other worker" category will become unavailable in the month of May.

LL.M. Law Group
53 W. Jackson Boulevard
Suite 409
Chicago, Illinois 60604
www.llmlaw.com

National: (877) 8800-USA (872)
Local: (312) 8800-USA
Fax: (312) 880-0870
Web: www.llmlaw.com
E-mail: immigration@llmlaw.com