LAW OFFICES OF EUGENE GOLDSTEIN AND ASSOCIATES 150 BROADWAY, SUITE 1115 NEW YORK, NY 10038 212-374-1544 Fax 212-374-1435 EGLAW@AOL.COM http://www.eglaw-group.com

February 1, 2013

MEMORANDUM

Lawrence Goldstein Lucy G. Cheung Michael J. Goldstein

Jacqueline Singh Ana Pena Legal Assistant

The spring semester is upon us, and many of your students are looking forward to life after F-1. As many of you know, our firm provides "Life After F-1" presentations at schools.

Before your students enter the real world, please let us know, if you would like us to come to your campus to do a presentation.

To: International Education Program Administrators

- 1) Impact of CBP Annotations on Arrival Documentation
- 2) Nebraska Service Center Stakeholder Calls
- 3) USCIS National Customer Service Center Adds Saturday Hours
- USCIS Improves Customer Service with "My Case Status" and "e-Request"
- 5) January 17, DACA Statistics
- 6) ELIS Developments
- 7) DOS Proposed J-1 Fee Increases
- 8) US Embassy in Abu Dhabi Provides New Non Immigrant Visa Appointment Service
- 9) TPS Extended and Redesignated for Sudan and South Sudan

1) Impact of CBP Annotations on Arrival Documentation

In a question and answer report from a meeting between the USCIS National Benefit Center (NBC) and AILA held on November 30, 2012, AILA asked about the "Impact of CBP Annotations (or lack thereof) and Documentation of Arrival":

- Q. On August 12, 2012, U.S. Customs and Border Protection (CBP) confirmed that it no longer places admission stamps on Form I-20 and Form DS-2019. What training has the NBC received on this issue in particular when looking for documentation that an applicant for adjustment has been "inspected and admitted"?
- A: Changes by CBP in recent months regarding its processes have not affected how NBC conducts its review for prima facie evidence of "inspection and admission or parole." NBC continues to check for one or more of the following in its checklist review process: I-94, stamped passport page, stamped I-512, border crossing card, I-797 Approval Notice for I-102. The Field Office makes the final determination on each case as to whether an applicant was inspected and admitted or paroled.

NBC will also check available systems for evidence of inspection and admission or parole. However, lack of evidence from the applicant and our systems may result in a denial.

The following statement currently appears on the DHS website at the following web address: http://studyinthestates.dhs.gov/?s=I-20+stamp&lang=en .

> There has been an important change in the process for international students entering the United States. As of August 10, 2012, U.S. Customs and Border Protection (CBP) no longer provides admission stamps at a United States port of entry on a Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status," or Form DS-2019, "Certificate of Eligibility for Exchange Visitor (J-1) Status," for prospective and returning F, M and J nonimmigrants. CBP will continue, however to stamp passports and Forms I-94, "Arrival/Departure Record," stamped upon arrival at a port of entry.

Training is an important and integral part of NBC's efforts to ensure that officers are knowledgeable and skilled regarding Immigration law, processes and procedures. As changes occur in Immigration law, processes and procedures; NBC develops and provides appropriate training for officers and staff, as needed.

2) <u>Nebraska Service Center Stakeholder Calls</u>

The Nebraska Service Center has set forth a schedule of informational stakeholder calls in which questions may be asked about products and services.

The calls generally begin at 10am (CST) on the Second Thursday of the month. The next call-in for Students/School and Other is April 11 and, thereafter, July 11. No telephone number was listed.

3) USCIS National Customer Service Center Adds Saturday Hours

On January 8, 2013 USCIS announced that the National Customer Service Center is expanding its live, toll free telephone assistance service to include Saturday hours. Calls will now be taken Monday to Friday 8am to 8pm, and Saturdays from 9am to 5pm Central Standard Time, although Immigration Service Officers will only be available Monday to Friday with answers to complex issues regarding individual cases. The telephone number is 1-800-375-5283.

4) USCIS Improves Customer Service with "My Case Status" and "e-Request"

On January 10, USCIS announced by email that two new options have been introduced for customers to obtain information and check the status of their applications electronically as follows:

We expanded the capabilities of two of our online tools, My Case Status and e-Request, to provide these more flexible options:

- <u>My Case Status</u> now allows customers to view the current status of applications they submit, no matter which USCIS form they used. My Case Status now lets them track, through our <u>Secure Mail Initiative</u> (SMI), the mailing and delivery of USCIS-produced cards and documents. SMI permits customers to use our website to access the U.S. Postal Service tracking numbers of their documents.
- <u>e-Request</u> now allows customers to inquire electronically about applications and petitions they submit to USCIS. They can use this tool to request a follow-up on their case status if they do not receive documents related to three of our most-used forms:
- Form I-485, Application to Adjust Permanent Residence or Adjust Status;
- Form I-765, Application for Employment Authorization; and
- Form I-130, Petition for Alien Relative.

5) January 17, DACA Statistics

On January 18, 2013 USCIS posted the latest DACA statistics as of January 17. A total of 407,899 applications were received and 154,404 have been approved. The top countries of origin are Mexico 290,019, El Salvador 16,824, Honduras 10,882,

Law Offices of Eugene Goldstein & Associates Memorandum Page 4, February 1, 2013

Guatemala 8,904, Peru 5,974, South Korea 5,354 and continuing down to the Philippines 3,019.

The top states of residence are California with 110,230, Texas 63,455, New York 23,389, Illinois 19,736, and Florida 18,470.

6) <u>ELIS Developments</u>

On January 30, USCIS emailed a "Stakeholders" letter to advise of "...significant improvements to the way attorneys and Board of Immigration Appeals (BIA) accredited representatives electronically interact with clients".

The letter announces a Webinar for Thursday February 14. The schedule and participation information may be found <u>here</u>.

7) DOS Proposed J-1 Fee Increases

The "Federal Register" of January 30, 2013 carries a "Proposed rule with request for comment" which would increase certain J-1 fees. The application fee for "Sponsor Designation or Redesignation would increase to \$3,982 from \$2,700. The fee for a specific benefit for a J-1 visa holder (such as a Motion to Reinstate) would increase to \$367.00 from \$233.00. The "Federal Register" proposal may be found <u>here</u>.

8) <u>US Embassy in Abu Dhabi Provides New Non Immigrant Visa Appointment</u> <u>Service</u>

On December 4, 2012 the Embassy of the United States in Abu Dhabi, UAE published a press release to advise that it was establishing a new appointment service for nonimmigrant visa applicants as of January 6, 2013. The system will work online or by telephone in order to schedule an interview, pay the visa application fee, and arrange for delivery of documents and or passports. The appointment service permits scheduling up to six months in advance of travel plans. The applicant will be able to go online, complete the application, pay the fee, schedule an appointment and arrange passport delivery at the end of the application process to an Empost office anywhere in the UAE. During daylight hours calls can be made to a live operator with services in Arabic, English, and Farsi.

9) TPS Extended and Redesignated for Sudan and South Sudan

The "Federal Register" of January 9, 2013 contained a Notice on Extension and Redesignation of both South Sudan, and Sudan for Temporary Protected Status (TPS) for a

Law Offices of Eugene Goldstein & Associates Memorandum Page 5, February 1, 2013

period of 18 months from May 3, 2013 to November 2, 2014. Because it is a "redesignation", additional individuals may apply, if eligible, if they have resided in the United States since January 9, 2013. Under the redesignation, applications will be received between January 9, 2013 and July 8, 2013. It was noted that some residents of the former Sudan may now be eligible to register under the South Sudan redesignation. There is a 60 day redesignation period from January 9, through March 11, 2013.

There are approximately 300 Sudanese TPS beneficiaries. It was estimated that fewer than 4,000 individuals may be eligible for TPS under the Sudan and South Sudan programs.

Many thanks for your comments, your suggestions and for referring your students, scholars and faculty members.

Please let me know if you have any questions, or if you would like copies of any of the materials covered.

Note: The information provided in this Memorandum is not legal advice. Transmission of this information is not intended to create, and receipt by you does not constitute, an attorney-client relationship. Readers must not act upon any information without first seeking advice from a qualified attorney. Neither the publisher, nor any contributor is responsible for any damages resulting from any error, inaccuracy, or omission contained herein.