



July 5, 2007

**To:** HR Reps  
**From:** Ahlstedt, Deborah  
**Subject:** Immigrant Visa Number Retrogression

**Immigrant Visa Numbers for All Countries Become Unavailable on 2 July 2007**

All immigrant visa numbers for fiscal Year 2007 have been used up according to the U.S. State Department. This means that applications for permanent residence (form I-485) from individuals from all countries around the world will not be accepted by USCIS through the remainder of this fiscal year. FY 2008 begins on 1 October and the State Department will issue later statements about projected availability closer to that date. This means that concurrent filing of forms I-140 and I-485 will no longer be possible. The University can file the I-140 but the beneficiary may not file the I-485. There is no information about how they will handle applications that already have been filed, but in recent years when a backlog has occurred for a specific country, they have held the applications until visa numbers have become available again. Interested parties can access the State Department's Visa Bulletin at: [http://travel.state.gov/visa/frvi/bulletin/bulletin\\_1360.html](http://travel.state.gov/visa/frvi/bulletin/bulletin_1360.html).

**Premium Processing for Permanent Residence (form I-140) Suspended Effective 2 July 2007**

U.S. Citizenship and Immigration Services (USCIS) has announced a 30-day suspension of premium processing services for all Form I-140 immigrant worker petitions, from 2 July 2007 to 1 August 2007. The suspension is being implemented because USCIS expected a surge in I-140 filings beginning July 1st, when immigrant visa priority dates for nearly all employment-based categories became current. The agency anticipated that it would be unable to meet the 15-day processing goal of the premium service due to the high volume of filings. USCIS expects to review its decision within the 30-day period, and could extend the suspension beyond August 1st. The State Department announced that visa numbers became unavailable on the very next day, but it is still expected that the suspension will continue at least for the month of July 2007.

**What does this mean for UW-Madison?**

The University still can, and should, file the Labor Certification for faculty and the I-140 Immigrant Petition for Alien Worker for both faculty and researchers who qualify for the Aliens of Extraordinary Ability category. These applications get the process started. However, employees will not be able to file their application for Adjustment of Status to Permanent Resident until the cut-off dates advance. In virtually all instances, we should be able to maintain the employee's non-immigrant employment status (H-1B, O-1 etc.) until the situation improves. The main impact may be that some employees may not be able to obtain grant funding, as some granting agencies require that the Principal Investigator be a permanent resident. Also, spouses will be unable to obtain work authorization. IFSS is continuing to monitor the situation and we will post new information on our web as soon as it becomes available. Individuals with specific concerns should contact Deborah Ahlstedt at [dahlstedt@ohr.wisc.edu](mailto:dahlstedt@ohr.wisc.edu).

**Office of Human Resources**

166 Bascom Hall • 500 Lincoln Drive • Madison, Wisconsin 53706-1380  
608/265-2257 • <http://www.ohr.wisc.edu>