



DATE: April 27, 2006  
TO: Personnel Representatives  
FROM: Deborah Ahlstedt, International Faculty and Staff Services  
RE: New USCIS Filing Procedures

Effective 1 April 2006, USCIS has changed its filing procedures. Now, all I-129s (for H-1B, O-1 and TN) must be sent to the Vermont Service Center. Based on their workload, they may ship the petition to the California Service Center for processing. Likewise, all I-140s for permanent residence must be sent to the Nebraska Service Center, and, based on their workload, the petition may be shipped to the Texas Service Center. The petition will not be receipted in until it reaches the service center that actually will adjudicate it. This could create a delay in our receiving the receipt notice.

To further complicate matters, they instituted this policy on the same day that corporations which are not exempt from the cap on H-1Bs could begin filing applications for Fiscal Year 2007. Vermont is overwhelmed; receipts are not being issued and even Premium Processing cases are being delayed. This situation should be temporary, but we have no indication how soon they will be able to clear the backlog.

The long term effects of this new procedure are:

1. H-1Bs who wish to start with UW quickly under the portability provisions may be delayed if the case is transferred to California. Instead of getting the receipt in the usual two weeks, we may not get it for three weeks or so. Departments should plan accordingly.
2. Departments should plan well ahead for H-1B applications for initial employment and amended petitions, as we do not know how long cases will take. Allow at least six months for processing all three steps. Extensions of H-1B status with no changes in the terms and conditions of employment are not affected. Provided USCIS receives the petition prior to the expiration date of the former approval, the person can continue working for up to 240 days while the petition is being adjudicated.

We'll let you know if there are any new developments.

**Office of Human Resources**

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