BREAKING NEWS

EB-2 advances for China and India
The cutoff date for the second employment-based immigrant category (EB-2) will advance to 8 March 2007 for both China and India in July 2011. This means that everyone from those countries who has a priority date on or before that date will be able to file for adjustment of status in July 2011. Be sure the application is complete and that USCIS receives it between 1-31 July, not before and not after. IFSS will need a copy of the PR card once it has been approved.

EB-2 Cut-off for India and PRC to Advance
The U.S. Department of State (DOS) has announced that the cut-off date for visa number availability for individuals born in P.R. China and India likely will advance in the coming months, possibly as soon as May. DOS will apply approximately 12,000 unused immigrant visa numbers from the EB-1 category to the EB-2 category. They will not estimate how much the dates will advance, but the new dates for May will be announced in the monthly Visa Bulletin by mid-April at: http://travel.state.gov/visa/bulletin/bulletin_1360.html. The April 2011 dates are: 22 July 2006 for the PRC and 8 May 2006 for India. Individuals who filed for Adjustment of Status in July 2007 when the numbers opened up for one month and those who have been waiting to file should monitor the progress of the cut-off dates over the coming months. USCIS will process to completion cases that are pending. For long-pending cases, they may need additional information, such as confirmation of continuing employment from the employing UW-Madison department and/or a new set of biometrics. Individuals who have been waiting to file should have their applications complete and ready to file in case the cut-off date moves up to or beyond their priority date (the date UW-Madison filed the Labor Certification or the individual filed the National Interest Waiver application).

New Tax Procedures for Internationals
This will be implemented very soon in conjunction with UW-Madison’s NEW Human Resources System (HRS) for employees on UW-payroll
All persons receiving payments from a US source, whether they are US permanent residents or internationals in a non-immigrant status, are subject to US taxation. There are specific regulations and processes required for determining the tax withholding for international persons, and various factors come into play in determining the percentage of the tax withholding. In certain situations, tax treaties may exist that exempt a person from US taxation.
Glacier is a secure, online tax compliance software used to capture the information required to determine the actual tax status of an international person. All international persons who are not US Permanent Residents and who are receiving payments from the University of Wisconsin-Madison will be required to have a Glacier record. You will be receiving more information in the near future concerning Glacier and HRS.
Letter from Chancellor Regarding Japanese Earthquake
To our Japanese students, faculty, staff and alumni,

I can not tell you how deeply saddened I was to hear of the news of the earthquake and tsunami that has devastated Japan. The effects of this terrible tragedy are beyond comprehension.

Along with the entire University of Wisconsin-Madison community, I hope that you and your families are safe and have not suffered greatly. Our hearts go out to the families and friends of all those who have been injured, had their property destroyed, or who have lost their lives.

In times like this, we come together as a community. We are here to assist you and will lend our energy and talents to support you and all of Japan’s recovery.

For those on campus seeking assistance, please contact staff in the office of International Student Services, (http://iss.wisc.edu/, 608-262-2044) or the Offices of the Dean of Students, http://students.wisc.edu/, (608) 263-5700) or International Faculty and Staff Services, (http://www.ohr.wisc.edu/ifss/ (608) 265-2257.)

If you are interested in relief efforts, UW-Madison supports the programs of the Red Cross, http://www.redcross.org/.

If you are aware of campus-based relief efforts, please email me at chancellor@news.wisc.edu so that we might help publicize your plans.

Sincerely,
Chancellor Biddy Martin

USCIS Relief for Nationals of Japan and the Pacific
This advisory is for Japanese and other foreign nationals from the Pacific stranded in the United States due to the earthquakes and tsunami devastation in the Pacific. If you have exceeded or are about to exceed your authorized stay in the U.S. you may be permitted up to an additional 30 days to depart.

Visitors traveling under the Visa Waiver Program (VWP):

- If you are at an airport, contact the U.S. Customs and Border Protection office at the airport.
- All others, please visit the local U.S. Citizenship and Immigration Services office.

Visitors traveling under a nonimmigrant visa:

- Visit the local U.S. Citizenship and Immigration Services office.
- Bring your passport, evidence that you are stranded (such as an itinerary for the cancelled flight), and your I-94 departure record.

For additional immigration relief options, please visit the Special Situation page.
Egyptian Passport Renewal
In light of the recent upheavals in the Egyptian government, the Egyptian Embassy recommends that any Egyptian applying to renew a passport should follow this process:

- Contact the embassy in Washington, D.C.
- Inform the representative of the intent to renew a passport.
- Report in person to the embassy with whatever documents the representative requires.
- Have an embassy representative review all documents and submit them to Egypt for processing.
- Inform the representative if renewing the passport for submission to USCIS.

The representative will provide the nonimmigrant with a letter informing USCIS of the passport renewal application. USCIS will accept this letter as a part of the benefits package. The average processing time to renew a passport is 60 days. Contact the Consular Section of the Egyptian Embassy in Washington, D.C. at 202-966-6342 for questions, to schedule a meeting or to speak to a representative.

Any Egyptian whose passport has expired (or is about to expire) and who must submit an application to USCIS should submit a letter of explanation along with the letter from the Egyptian Embassy, in addition to all required documents for the petition. USCIS has informed all of its Service Centers of this process.

The U.S. is committed to facilitating the visa interview process throughout India. We are constructing a new Consulate for Mumbai. The new multi-million dollar Mumbai Consulate facility is scheduled to open later this year. Unfortunately, the current Mumbai Consulate building’s aging infrastructure has forced us to close several of the interview windows in Mumbai, limiting the number of applicants that can be accommodated at a given time. If you have already scheduled an H or L visa interview appointment at the Mumbai Consulate, you may keep that interview time. No new H or L visa appointments will be made at the Mumbai Consulate. New H and L interviews may be scheduled at the other U.S. Consulates in India or the Embassy in New Delhi. Appointments will be scheduled via VFS at https://www.vfsusa.co.in/USIndia/Index.html. Appointment times can be found on the VFS.

Passport Validity:
Non-immigrants traveling to the United States are required to be in possession of passports that are valid for six months beyond the period of their intended stay in the United States. Citizens of the countries included in the link below are exempt from the six-month rule and only need to have a passport valid for their intended period of stay, rather than six months longer.

Japan Earthquake – Additional Resources
http://www.nafsa.org/resourcelibrary/default.aspx?id=25524
When a petition for an extension of status or a change of status must be filed, USCIS will only approve the petition to the expiration date of your passport, if your passport will expire in the first six months of the petition. Therefore, you will need to renew your passport before IFSS can submit your petition if your passport expires within six months of the current expiration date of your status. For example, if we would like your H-1B to be valid from 07/01/2011-06/30/2014 but your passport expires on 09/15/2011, you must renew your passport before IFSS will submit your petition otherwise US Citizenship and Immigration Services (USCIS) will only approve your H-1B for the period 07/01/2011-09/15/2011.

Related to that, officers at Customs and Border Protection (CBP) will not admit you to the United States for a period beyond the end date of your passport even if your H-1B, J-1 or other non-immigrant petition has been approved by USCIS for a longer period of time. For example, if your H-1B I-797A approval notice is valid from 07/01/2011-06/30/2014 but your passport expires 08/12/2013, when you leave the US and re-enter as an H-1B, the CBP officer will only admit you to the United States until 08/12/2013 because that is the date your passport expires. You will need to renew your passport, leave and re-enter the US again before 08/12/2013 before the CBP officer will use the 06/30/2014 end date of the H-1B approved petition.

If you have any questions, please contact IFSS at 608-265-2257.

**Diversity Lottery Green Card Fraud:**
The Department of State receives millions of applications each year in the fall for its Diversity Lottery. Please see the following link for information regarding the Diversity Lottery.

http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=2df93a4107083210VgnVCM100000082ca60aRCRD&vgnextchannel=2df93a4107083210VgnVCM100000082ca60aRCRD

There is no fee for the Diversity Lottery, however, scammers have been emailing applicants posing as State Department or other government officials with requests to wire or transfer money online as part of a “processing fee.” You should never transfer money to anyone who e-mails you claiming that you have won the Diversity Visa (DV) lottery or been selected for a Green Card.

Learn more at: http://blog.uscis.gov/2011/03/e-mail-scam-avoid-green-card-lottery.html
Combined EAD and Advance Parole Document Available
Effective 11 February 2011, USCIS is able to issue an Employment Authorization Document (EAD) form I-766 that combines both the EAD and the Advance Parole document. The card looks similar to the prior version of the EAD but contains the statement “Serves as I-512 Advance Parole.” Only EAD cards that bear this text serve as both an EAD and Advance Parole. In order to receive the combined card, the adjustment applicant must file BOTH the I-131 and the I-765 at the same time. All personal identifying information on the forms I-131 and I-765 must be identical. The forms can be filed at the same time as the I-485 or with a copy of the I-485 receipt notice, but both forms must be filed at the same time. The cost of the combined card, like the separate EAD and Advance Parole documents, is included in the $1,070 filing fee for the I-485.

Export Control Certification on I-129 Required 21 Feb. 2011
Effective 21 February 2011, all employers of H-1B and O-1 non-immigrants will be required to make an attestation on form I-129 regarding compliance with the deemed export licensing requirements of the export control regulations contained in the ITAR and the EAR. The Office of International Faculty and Staff Services is working closely with Matt Lind in the Office of the General Counsel of UW-System Administration as well as the UW-Madison Export Control Officer, Tom Demke, to provide clear instructions and a form to ensure our compliance with this new requirement on the form I-129. The export control requirements are not new; the requirement to certify the employer’s compliance on the form I-129 is.

System Administration is working on getting an online web tool to be used by all UW System institutions which will facilitate departments’ efforts to determine if an export license is required, but it will not be functional until after the implementation date of 21 February 2011. Once the link is active, it will be posted on the IFSS web in the H-1B and O-1 sections. In the meantime, if a form I-129 must be filed, a paper form which IFSS can provide to the department must be completed and signed by the Chair or the appropriate Principal Investigator (PI). The petition will not be sent until the form has been completed and signed. Full details were emailed to all Department Chairs on 16 February 2011.

January 11, 2011: It has recently come to our attention that more individuals are being subject to administrative processing delays when attempting to obtain a visa at a US Consulate abroad. In order to attempt to minimize the delays associated with administrative processing the visa application, it would be wise to take another letter which addresses the following issues:

- Goals of research and practical applications
- Funding sources and amounts of any U.S. government to be used to support the research
- Any export-controlled technology and/or information to be shared
- If participate in or access to U.S. projects, sponsor, where such research is open to non-U.S. citizen.

The letter should be on letterhead and contain the contact information at the department.
January 11, 2011: The International Faculty and Staff Services office recommends that individuals take a copy of their immigration documents with them when traveling inside the United States. In the past, these documents were only necessary when traveling within 100 miles of the US border; however, now it is advisable that individuals take their documents with them when they are anywhere in the US.

**USCIS Dallas Lockbox**
There is a new address for the I-140 petitions for permanent residency.

*For US Postal Service Delivery:*
USCIS  
PO Box 660867  
Dallas, TX 75266

*For Express Mail and Courier Deliveries:*
USCIS  
Attn: AOS  
2501 S State Highway 121  
Business Suite 400  
Lewisville, TX 75067

**New ESTA Fee for Visa Waiver Program**