

IMMIGRATION LAW REPORT

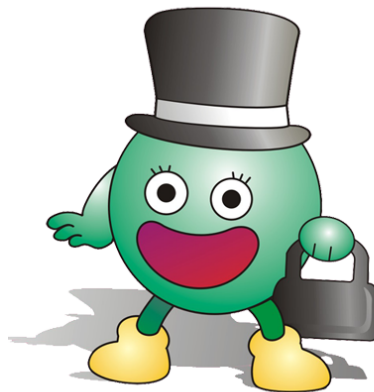
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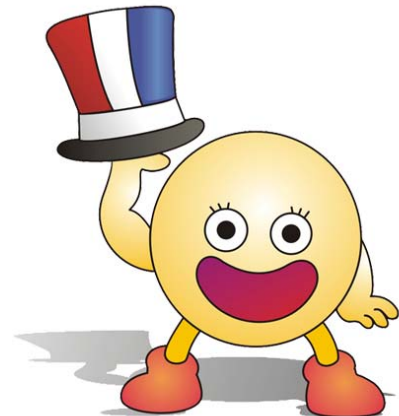
Immi, Jr.

Immi, Jr. will address nonimmigrant issues.



Immi

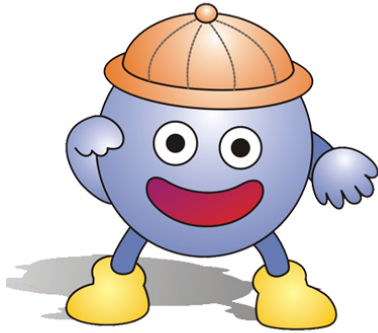
Immi will address immigrant issues.



Citizen Immi

Citizen Immi will address citizenship issues.

IMMEDIATE INFORMATIONAL RELEASES:



Immi, Jr. says: The H-1B Cap has been reached! All F-1s, especially F-1s on Optional Practical Training, must be aware of and be prepared for the implications of the H-1B Cap being reached.

PLEASE READ THE INFORMATION BELOW.

WHAT TO KNOW ABOUT THE H-1B CAP

SOURCE: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)

The U.S. Citizenship and Immigration Services (USCIS) announced on February 17, 2004 that it had received enough H-1B petitions to meet FY2004's cap of 65,000 new workers. The USCIS also announced that it will reject any new H-1B petitions received after February 17, 2004, for first-time employment subject to the FY2004 annual cap. The announcement indicated that the USCIS will process all petitions filed for first-time employment if they were received by the end of business day on February 17.

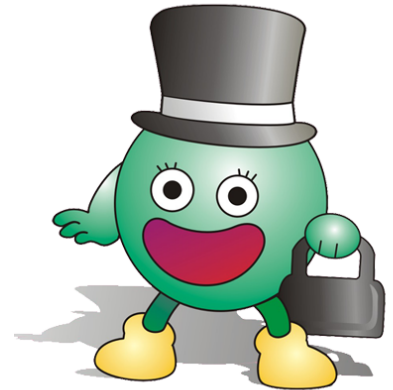
The USCIS indicated that the earliest date on which a petitioner may file a petition requesting new FY2005 H-1B employment is April 1, 2004, which is six months before the earliest possible start date in FY2005, October 1, 2004.

The notice announcing the reaching of the cap indicated that petitions for foreign nationals currently in H-1B status do not count toward the H-1B cap. Thus, the notice indicated that the USCIS will continue to process petitions filed to extend status, change terms of employment, change employers, or work concurrently in a second H-1B position.

Individuals who have been counted toward an H-1B cap within the past six years are not subject to the cap unless they would be eligible for another full six years of admission (i.e., unless they have been outside the U.S. for at least one year). No reference was made to this provision in the notice announcing the cap.

The USCIS will also continue to process H-1B petitions for workers from Singapore and Chile consistent with Public Laws 108-77 and 108-78.

Immi says: Tax-exempt status evidentiary requirements for Special Immigrant Religious Worker Petitions are less stringent! Be happy and read the information below.



TAX EXEMPT STATUS REQUIREMENTS FOR RELIGIOUS ORGANIZATIONS

SOURCE: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)

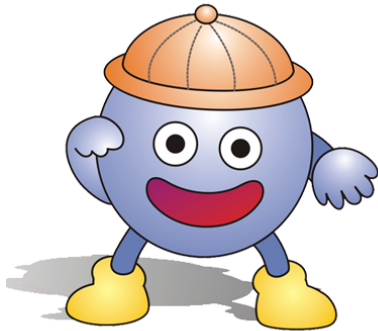
In order for a Special Immigrant Religious Worker Petition to be successful, it must be shown that the religious organization, acting as the employer, qualifies as a nonprofit organization. In the past, the USCIS has accepted only one document as evidence of the religious organization's nonprofit status: A signed letter from the IRS showing that the organization is exempt from taxation in accordance with section 501(c)(3) of the Internal Revenue Code (IRC), as it relates to religious organizations.

The USCIS has recently acknowledged the following list of documents which may be submitted to properly establish the status of a non-profit religious organization:

- 1) A signed letter from the IRS showing that the organization is exempt from taxation in accordance with section 501(c)(3) of the Internal Revenue Code, as it relates to religious organizations; **OR**
- 2) Such documentation as is required by the IRS to establish eligibility for exemption under section 501(c)(3) of the IRC, as it relates to religious organizations; **AND**

Documentation which establishes the religious nature and purpose of the organization.

QUICK INFORMATIONAL BYTES:

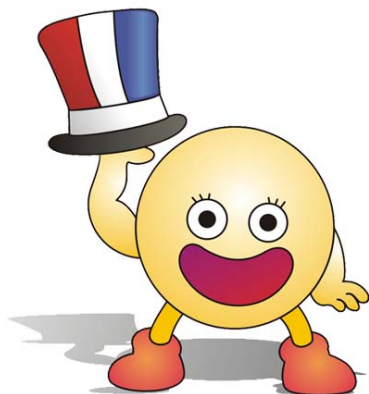
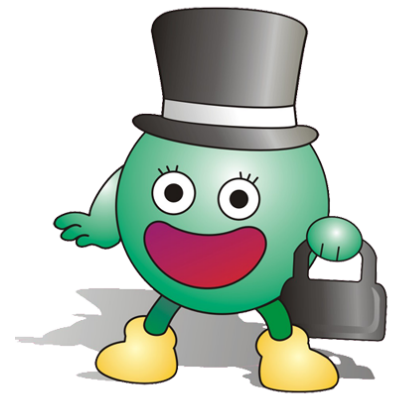


Immi, Jr. says: The 66,000 cap for H-2B petitions may be reached this year, possibly around April.

SOURCE: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)

Immi says: Remember EAD Cards are only valid for one year. Also, there are processing backlogs of over four months or more! Therefore, it is best to apply for an EAD extension six months before the expiration of your current EAD card.

SOURCE: TERENCE L. OLSEN, ESQ., OLSEN LAW FIRM



Citizen Immigrant says: Be aware that the FBI is running background checks on common last names, and this may delay an alien from being allowed to participate in the Oath Ceremony for Naturalization.

SOURCE: TERENCE L. OLSEN, ESQ., OLSEN LAW FIRM

QUESTIONS AND ANSWERS:

Explanation: If you have questions concerning immigration related issues or concerns and are of a non-advice and pure general interest nature, please e-mail them to tolsen@tlolaw.com.

IMPORTANT IMMIGRATION RELATED WEB SITES:

<http://uscis.gov/graphics/index.htm>

- US Citizenship and Immigration Services Web Link

<http://www.dol.gov/>

- Dept. of Labor Web Link

<http://www.state.gov/>

- Dept. of State Web Link

<http://www.embassy.org/>

- Embassies in Washington D.C. Web Link

<http://www.aviso.net/government/embassies/>

- Embassies Located Inside and Outside U.S. Web Link

CONTACT INFO:

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