

# and Immigration USCIS MONTHLY



### A MESSAGE FROM USCIS DIRECTOR EMILIO T. GONZÁLEZ

Over the past year, USCIS has been working to determine a new fee structure for our services that will better reflect the true costs of running the largest immigration service in the world.

In February, we completed a comprehensive financial review of our agency operations that took into account the increased costs of efficiently processing immigration applications in a post-9/11 national security centric environment. Based on this audit, we determined new fees for the applications we administer. After public review and additional scrutiny by the USCIS Chief Financial Officer, we published a final version of the new fee structure that became effective on July 30, 2007.

# AUGUST 2007

"Securing America's Promise"

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Just like any modern-day international corporation, USCIS provides vital services to millions of people across the globe, except our customers are prospective immigrants and our shareholders are the American public. Common sense necessitates that our customers, the applicants and petitioners who apply for U.S. immigration benefits, be required to pay the full cost to process their applications. Therefore, the prices USCIS charges per application should correspond to the costs associated with providing it.

Because we don't rely on taxpayer funding, USCIS is the closest thing you will find to a private sector business in the Federal government. Fees collected from applicants and petitioners account for more than 99% of our annual budget, making us one of the largest fee-funded agencies in the Federal Government.

The new fees directly correspond to the growing costs of administering a secure and efficient immigration system for the 21<sup>st</sup> century and will enable USCIS to continue to enhance its national security capabilities, modernize its systems, collect detailed biometrics from every applicant, and improve service delivery and efficiency – today, and into the future.

The new financial platform also provides the flexibility to update fees based on changes in workload and operational efficiency, and incorporates planned infrastructure investments in order to become more effective and efficient – similar to the way private sector businesses operate today. As USCIS continues to meet enhanced national security requirements, customer service needs, and modernize an outdated business infrastructure, it will adjust its fees as necessary to recover full costs – no more, no less.

Moving forward with the revenue generated through the new fees, USCIS will construct a strong foundation upon which to build a modern immigration service, moving from relying on paper files to electronic processing. As a result, applicants will experience improved service and faster, more efficient processing. Security and biometric identification capabilities will be enhanced to further protect against fraud and abuse. At the same time, we will expand our offices, hire additional personnel, train those personnel, and create new business processes to decrease the time it takes to process applications. Through the creation of a new fee structure, USCIS fulfills its responsibility to its shareholders, the American people, to maintain the integrity of our national immigration system, become a more efficient and effective operation, and ensure our historic tradition as a nation of immigrants, keeping our doors open, but well guarded.



# USCIS IMPLEMENTS NEW FEE SCHEDULE

The new USCIS fee schedule became effective on July 30, 2007. Applications or petitions postmarked or otherwise filed after this date must include the new fee. USCIS will reject applications or petitions containing an incorrect fee.

For more information concerning the final fee schedule, visit USCIS' Web site at <a href="https://www.uscis.gov/21stCenturyService">www.uscis.gov/21stCenturyService</a>.

The USCIS fee schedule (Publication G-1055) is available for review and downloading at http://www.uscis.gov/fees.

As <u>announced on July 17, 2007</u>, the only applicants temporarily exempt from the new fee schedule are those who are eligible to apply for employment-based adjustment of status (Form I-485) under the Department of State's July Visa Bulletin No. 107.

# NEWS YOU CAN USE... FROM USCIS COMMUNICATIONS



USCIS to Administer Additional Humanitarian Programs - 08/06/2007

USCIS Highlights Change to Guatemalan Intercountry Adoptions - 08/06/2007

USCIS Issues Service Center and Lockbox Receipting Update - 08/03/2007

<u>USCIS Urges H-2B Employers to Continue to Identify "Returning Workers" on Petitions for Fiscal Year (FY) 2008 Start Dates - 08/02/2007</u>

Update Regarding Fee Increase for Electronic Filings - 07/30/2007

USCIS Implements New Application and Petition Fee Schedule Today - 07/30/2007

USCIS Issues Final Reminder to Hondurans and Nicaraguans Eligible for Temporary Protected Status (TPS) - 07/27/2007

USCIS Rescinds Prior Update Regarding the Discontinuance of "Prepaid Mailers" - 07/27/2007

<u>USCIS Announces Extension of Temporary Suspension of Premium Processing Service for Form I-140</u> - 07/24/2007

USCIS Discontinues Use of "Prepaid Mailers" for Issuing Notices and Documents - 07/23/2007

New Application and Petition Fees Go Into Effect on July 30, 2007 - 07/23/2007

USCIS Issues Service Center Receipting Update - 07/20/2007

USCIS Announces Revised Processing Procedures for Adjustment of Status Applications - 07/17/2007

USCIS Launches Transformation Pilot - 07/16/2007

Questions and Answers: USCIS Releases SIMS Pilot Program for Inter-Country Adoption Applications - 07/16/2007

<u>USCIS Issues Correction of Previous Guidance Regarding Form I-140 Requests</u> - 07/13/2007

USCIS Issues Service Center Receipting Update - 07/13/2007

California Service Center Now Issuing Delayed Form I-797 Approval Notices - 07/11/2007

More Than 400 Service Members Become U.S. Citizens Overseas - 07/06/2007

USCIS Issues Service Center Receipting Update - 07/06/2007

<u>USCIS Announces Update on Employment-Based Adjustment of Status Processing</u> - 07/02/2007

USCIS: ENHANCING NATIONAL SECURITY

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# OUTSTANDING AMERICANS BY CHOICE

The <u>Outstanding American by Choice</u> initiative recognizes the achievements of naturalized U.S. citizens. Through civic participation, professional achievement, and responsible citizenship, recipients of this honor have demonstrated their commitment to the country and to the common civic values that unite us as Americans. Throughout the year, USCIS Director González will continue to recognize naturalized citizens who have made significant contributions to both their communities and adopted country.

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### GLORIA AND EMILIO ESTEFAN

Both Gloria and Emilio Estefan came to America with their families from Cuba to escape the oppressive rule of Fidel Castro. They settled in Miami and were raised in a vibrant Cuban immigrant community, surrounded by the sounds Latin America.

In 1975, Gloria met Emilio Estefan, who invited her to join his band. It was only a matter of time before the two fell in love. In just a few short years after their marriage, the husband wife immigrant duo would make American musical history.

Their album broke onto the Billboard charts, and since 1984, an astonishing 70 million Estefan albums have sold worldwide. Together, they've been nominated for 44 Grammy Awards, won 19 and are recognized as the first family of Latin Pop. But what makes the Estefan's story special is that they have not lost their love for this nation and their passion for giving back to the Miami, Florida community that raised them.

Dynamic and transcendent as a musician, artist and woman, Gloria remains a beacon of inspiration to her legion of fans worldwide, and a role model to other immigrants who come to our shores. Focused and committed, she survived an accident that nearly crippled her and after battling back from her injury, she and Emilio founded the Gloria Estefan Foundation, aimed to reach those who struggle outside the safeguards of society by promoting good health, education and cultural development.





Emilio and Gloria Estefan with USCIS Director Gonzalez

Not to be overshadowed, Emilio has dedicated his career to breaking down barriers that limited Latin artists from gaining exposure and acceptance around the world.

He has helped develop and guide the solo-careers of his talented wife, and other names like Ricky Martin, Marc Anthony, Jon Secada, Jennifer López and Shakira.

When not working as one of the most successful music producers in history, Emilio has dedicated his energies towards revitalizing beachfront areas in Miami and Vero Beach.

Gloria and Emilio were recognized as Outstanding Americans by Choice by USCIS Director Gonzalez in a special July 4<sup>th</sup> Naturalization Ceremony at Walt Disney World in Orlando. Florida.



# ADOPTED VALOR: IMMIGRANT HEROES

# FOREIGN BORN MEDAL OF HONOR RECIPIENTS STAFF SERGEANT MARCARIO GARCIA - WWII

Medal of Honor Recipient Marcario Garcia was born into a poor family with nine brothers and sisters on January 2, 1920, in Villa de Castano, Mexico. His family moved to Texas in 1923, eventually becoming farm workers in Sugar Land, near Houston.

Garcia joined the U.S. Army upon the outbreak of World War II at the recruiting station in his adopted hometown. He was assigned to Company B, 22d Infantry Regiment, 4th Infantry Division. As a Private, Garcia participated in the historic Allied invasion at Normandy on D-Day where he was wounded. Garcia recovered quickly and rejoined his unit as they advanced across occupied France and into Germany.

While acting as squad leader near Grosshau, Germany on November 27, 1944, Garcia's company was pinned down by intense machine gun fire and subjected to a concentrated artillery and mortar barrage on their position. Although painfully wounded, Garcia refused to be evacuated and on his own initiative crawled forward alone until he reached a position near an enemy emplacement. Hurling grenades, he boldly assaulted the position, destroyed the gun, and with his rifle killed 3 of the enemy who attempted to escape.



Staff Sergeant Marcario Garcia
U.S. Army
Country of Birth: Mexico



President Truman presents the Medal of Honor to SSG Garcia

When he rejoined his company, a second machine gun opened fire and again the intrepid soldier went forward, utterly disregarding his own safety. He stormed the position and destroyed the gun, killed 3 more Germans, and captured 4 prisoners. He fought on with his unit until the objective was taken and only then did he permit himself to be removed for medical care.

Garcia received a promotion to Staff Sergeant and returned home after the war in February of 1945. After being assigned to Fort Sam Houston in San Antonio, he was sent to Washington D.C. for the presentation of his Medal of Honor. Though most recipients were provided with better housing, Garcia slept with the cooks at the War College while waiting for President Truman to return from a trip abroad for the presentation.

In 1946, he traveled to Mexico City, where he was given Mexico's highest honor, the Merito Militar. Garcia was granted United States citizenship in 1947. He earned a high school diploma in 1951 and married Alicia Reyes on May 18, 1952; they had three children. Garcia worked as a counselor with the Veterans Administration in Houston from 1946 until his death in 1972.

Garcia passed away in 1972 and was buried with full military honors at Houston's National Cemetery. In 1981 the City of Houston named a section of 69th Street in his honor and in 1983 the Army Reserve Center in Houston was named after him. A middle school in Sugar Land also bears his name.

# WOULD YOU LIKE TO WORK AT USCIS?

Visit <u>USAJOBS Online</u> for more information on openings and opportunities at USCIS and other federal agencies.

OPPORTUNITIES AVAILABLE NATIONWIDE, APPLY NOW!



# "How Do I...?"

FREQUENTLY ASKED QUESTIONS
AT USCIS

### HOW DO I... REPLACE MY PERMANENT RESIDENT CARD?

#### What is a Permanent Resident Card?

A Permanent Resident Card, commonly known as a Green Card, is evidence of your status as a lawful permanent resident with a right to live and work permanently in the United States. It also is evidence of your registration in accordance with United States immigration laws. The Permanent Resident Card is also called USCIS Form I-551.

#### Who Needs to Replace a Permanent Resident Card?

You will need to replace your permanent resident card if:

- Your previous card was lost, stolen, mutilated, or destroyed;
- Your card was issued to you before you were 14 and you have reached your 14th birthday;
- You have been a commuter and are now taking up actual residence in the United States:
- You have been a permanent resident residing in the United States and are now taking up commuter status;
- Your status has been automatically converted to permanent resident status, this includes Special Agricultural Worker applicants who are converting to permanent resident status;
- You have a previous version of the alien registration card (e.g., USCIS Form AR-3, Form AR-103, or Form I-151 all no longer valid to prove your immigration status) and must replace it with the current permanent resident card (Form I-551);
- Your card contains incorrect data;
- Your name or other biographic information on the card has been legally changed since you last received your card; or,
- You never received the previous card that was issued to you by the USCIS.

## How Do I Apply to Replace My Permanent Resident Card?

If you are a permanent resident, you may apply for a replacement card by filing a Form I-90. A Form I-90 can be downloaded from the USCIS website, or ordered by calling the USCIS Forms request line at 1(800) 870-3676. After receiving Form I-90, read it carefully.

If you are outside the U.S. and have lost your alien registration card, contact the nearest American Consulate, USCIS Office or Port of Entry before attempting to file a Form I-90.

If your Form I-90 application is approved, you will be mailed a replacement Permanent Resident Card, Form I-551, with a ten-year expiration date from the date of issuance.



#### What Does the Law Say?

Section 264 of the Immigration and Nationality Act provides that, "Every alien in the United States ... shall be issued a certificate of alien registration or an alien registration receipt card in such form and manner and at such time as shall be prescribed under regulations...." It also states, "Every alien, eighteen years of age and over, shall at all times carry with him and have in his personal possession any certificate of alien registration or alien registration receipt card issued to him.... Any alien who fails to comply with [these] provisions shall be guilty of a misdemeanor" and may be subject to fine and/or imprisonment upon each conviction. The specific requirements and procedures for applying to replace a permanent resident card are included in the Code of Federal Regulations [CFR] at 8 CFR § 264.5.

#### Need more information?

If advice is needed, you may contact the USCIS District Office near your home for a list of organizations that may be able to assist you with the preparation of your application. Please click here for more information on USCIS field offices; then, see the bottom of the About Us section for the field office serving your area for a listing of assistance organizations.

### THE USCIS POLICY PAGE

#### UPDATES ON NEW PROGRAMS AND PROCEDURES

#### Revised Processing Procedures for Adjustment of Status Applications

USCIS will accept employment-based applications to adjust status (Form I-485) filed by aliens whose priority dates are current under the July Visa Bulletin, No. 107. USCIS will accept applications filed no later than August 17, 2007. After consulting with USCIS, the Department of State has advised that Bulletin #107 (dated June 12) should be relied upon as the current July Visa Bulletin for purposes of determining employment visa number availability, and that Visa Bulletin #108 (dated July 2) has been withdrawn.

"The public reaction to the July 2 announcement made it clear that the federal government's management of this process needs further review," said Emilio Gonzalez, USCIS Director. "I am committed to working with Congress and the State Department to implement a more efficient system in line with public expectations."

USCIS will allow anyone who was eligible to apply under Visa Bulletin No. 107 a full month's time to do so. Applications already properly filed with USCIS will also be accepted. The former fee schedule will apply to all applications filed under Visa Bulletin No. 107 through August 17, 2007. (The new fee applies to all other applications filed on or after July 30, 2007).

#### Changes Benefiting Prospective Adoptive Parents

USCIS now permits prospective adoptive parents to receive one no-charge extension of the approved Application for Advance Processing of Orphan Petition (Form I-600A) if they have not already submitted a petition (Form I-600) to classify an orphan as an immediate relative.

This extension is valid regardless of the number of children the prospective parents are authorized to adopt. Prospective adoptive parents must make the request in writing and USCIS must receive the request no earlier than 90 days before the expiration of the Form I-600A approval, but before the approval expires.

Further, prospective adoptive parents who have an approved Application for Advance Processing of Orphan Petition (Form I-600A) on file with USCIS may now request a one-time, re-fingerprinting without charge. Since the original fingerprints are valid for 15 months, and the approved Form I-600A is valid for 18 months, the free re-fingerprinting is valid for an additional 15 months and will cover the three month gap, aligning with the timeframe of an extension of the I-600A.

Prospective adoptive parent(s) may also make one request for a change of country notification without charge. The written request must include all supporting evidence to substantiate the change of country request.

USCIS made these changes because the processing of orphan petitions often may take longer than the current valid approval period. In addition, adjudicating applications to adopt foreign-born children involves some of the most complex decision-making within immigration services. These modifications will help families to continue the adoption process without incurring additional expenses.



For more information about these new USCIS policies, please see the Frequently Asked Questions documents below.

Frequently Asked Questions #1:
Employment-Based Adjustment
Applications Filed by Aliens
Whose Priority Dates are Current
under Department of State July
Visa Bulletin No. 107 - 07/23/2007

Frequently Asked Questions #2:
Employment-Based Adjustment
Applications Filed by Aliens
Whose Priority Dates are Current
under Department of State July
Visa Bulletin No. 107 - 07/27/2007

Frequently Asked Questions:
USCIS Implements Changes to
Assist Prospective Adoptive
Parents - 08/06/2007



# FACES OF AMERICA NEW CITIZENS, UNIQUE STORIES MACHARIA YUOT – SUDAN

As a nine year old boy, Macharia Yuot was separated from his parents and forced to endure a 1000-mile walk across Sudan, seeking refuge from the civil war that ravaged his native country. During the journey, he saw his friends die of starvation. Others drowned, were shot or devoured by crocodiles. The group of more than 25,000 children became known as "The Lost Boys of Sudan," a name given the group by international aid workers.

Having made his way through Ethiopia and Kenya, Yuot was eventually admitted into the U.S. as a refugee and was re-settled with a foster family in Philadelphia. A talented athlete, Yuot took up long distance running with his high school track team, and he caught the attention of track coaches from Widener University. Yout never thought that his horrific experiences in Sudan would come to any benefit, however, his physical endurance and stamina would help him become a Cross Country track star at Widener and a three-time NCAA Division III Champion and All-American.

"When I was young, growing up in Sudan and traveling throughout Africa, the way I heard about America was all bad," Yuot says. "But what I've found is that it's not like that at all. There is no country in the world like America. I appreciate every single day, every single minute here. I have choices in America. I have choices to do things with my life and get an education. I had no choices but bad choices in Sudan."

Yuot's personal story and his positive attitude have touched those around him. As one of America's newest citizens, the recently naturalized Yuot now has his eye on qualifying for the 2008 U.S. Olympic Marathon Team.

"The one thing I realize is that there is nothing I can change about Sudan today with my running," Yuot says. "The one thing that I can change is to make people from Sudan see that they can change their lives here in America. I'd like to give people from my country encouragement and appreciate that I'm still alive. I'm one of the Lost Boys, but I've created my own world."

# ARE YOU ONE OF THE FACES OF AMERICA? SHARE YOUR STORY WITH USCIS

## ON ANY GIVEN DAY AT USCIS...

...the  $15,\!000$  federal and contract employees of USCIS accomplish the following at our 250 offices worldwide:

- $\,\blacksquare\,$  Answer phone inquiries from 82,000 calls to our toll-free customer service phone line
- Process 30,000 applications for immigrant benefits
- Naturalize 20 individuals serving in the United States military

Check the next issue of <u>USCIS Today</u> or the <u>USCIS Day in the Life</u> profile for more statistics on what we do every day to effectively and efficiently administer our nation's immigration system.