

Overview of Recent Immigration News

September 23, 2010

Fiscal Year (FY) 2010 Immigrant Visa Numbers

The U.S. Department of State (DOS) has announced that the annual limit for immigrant visa numbers was exhausted on September 16, 2010 for all family-based preference categories and for the second, third, and fourth employment-based categories. All cases subject to the cutoff will be held in the Visa Office's "pending demand" file and will be processed subject to the FY 2011 cutoff dates beginning October 1, 2010.

USCIS Announces Fee Increases

U.S. Citizenship and Immigration Services (USCIS) has announced fee increases that will become effective in November. Notable changes include the following:

Form I-140: \$580
Form I-485: \$985
Form I-765: \$380
Form I-131: \$360
Form I-907: \$1,225

Priority Processing for H-1B Change-of-Status Applications for F-1 Cap-Gap Students

USCIS has informally advised the American Immigration Lawyers Association that it will prioritize the adjudication of H-1B change-of-status cases for F-1 cap-gap students who would otherwise be prohibited from continuing employment after September 30.

DV-2012 Diversity Lottery

The DOS's DV-2012 Diversity Visa lottery program registration period will open on Tuesday, October 5, 2010. Entries for the DV-2012 lottery must be submitted electronically between 12:00 noon on Tuesday, October 5, 2010 and 12:00 noon on Wednesday, November 3, 2010, Eastern Daylight Time.

During this registration period, applicants may access the electronic Diversity Visa entry form (E-DV) at www.dvlottery.state.gov. Paper entries will not be accepted. Applicants are strongly encouraged to not wait until the last week of the registration period to enter. Heavy demand may result in website delays. No entries will be accepted after 12:00 noon EDT on November 3, 2010.

For detailed information about entry requirements, along with frequently asked questions about the DV lottery, please see the instructions for the DV-2012 Diversity Visa lottery available at http://travel.state.gov/visa/immigrants/types/types_1318.html.

For more information, or if you have any questions regarding the issues discussed in this Immigration Alert, please contact any of the following attorneys:

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Now Available: *AILA's Focus on Immigration Practice Under AC21*

Written by Eleanor Pelta and A. James Vázquez-Azpiri, *AILA's Focus on Immigration Practice Under AC21* provides invaluable insight on the effect AC21 has had on the H-1B visa category. For more information, please visit www.ailapubs.org/ac21.html or call 1.800.982.2939 to order a copy.

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