



June 29, 2007

Hello,

#### **IMMIGRATION LAW UPDATE:**

##### **Comprehensive Immigration Reform**

As we reported in a prior [Immigration Update](#), the US Senate has been discussing dramatic changes to the US immigration laws. On June 28th the proposed [legislation was defeated](#), and is not likely to come up for a vote soon. No increases to the number of H-1B Visas, or increases in employment based green cards, for example, are likely to be addressed until next year.

##### **Priority Dates Open -- Temporarily**

On June 14th the [Visa Bulletin](#) was published for the month of July, and all EB1, EB2 and EB3 green card cases are current starting July 1st, except "other workers". We have learned that this was done to ensure that no [employment based green card numbers](#) will be unused for the 2007 fiscal year, which ends on September 30, 2007. As we reported in a prior [Immigration Update](#), an employment based green card cannot be approved without a current priority date. Additionally, the third and final stage of the green card process, Adjustment of Status or Consular Processing, cannot be filed, unless the priority date is current. US Citizenship and Immigration Services will be flooded with I-485 Adjustment of Status applications on July 2nd, the soonest the cases can be filed. [Processing times](#) for the Adjustment's interim work and travel authorization are expected to increase beyond their current 90 day times. USCIS has confirmed that Adjustment filings must have all of the requirements (medical clearances, birth certificates, etc.), or the application will be rejected. The priority dates could retrogress to their current levels, or further back, as soon as August 1st, but definitely by October 1st, once enough green cards have been issued for the 2007 fiscal year. Unfortunately, with the end of the comprehensive immigration reform bill, mentioned above, we are not likely to see an increase in the number of employment based green cards anytime soon. Once an Adjustment of Status is filed, an applicant can continue to secure work and travel authorization extensions, until the Adjustment can be decided.

##### **Passport Delays Continue With Impending WHTI Implementation**

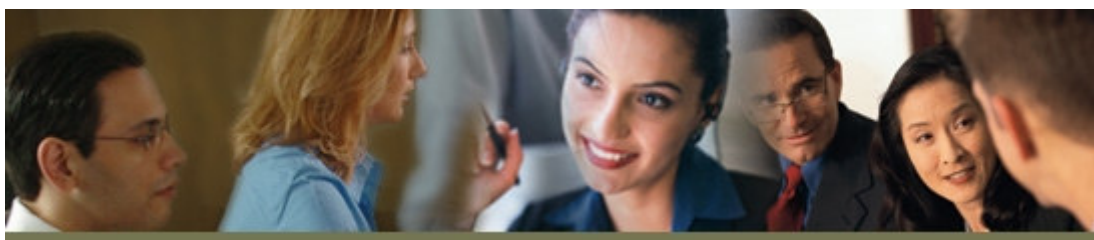
US Passport processing times have increased substantially in the past few months. This is due to a US passport requirement for international travel, as we discussed in a prior [Immigration Update](#). The Western Hemisphere Travel Initiative (WHTI) is scheduled to take effect in 2008 for all US citizens entering the US. For a summary of WHTI please see the [Department of Homeland Security's website](#). For more information on applying for a US passport see our prior [Immigration Update](#).

##### **FBI Name Checks Continue to Slow Naturalization Applications**

The [Washington Post](#) reported on June 17, 2007 that delays in the FBI providing a name check decision for green card holders applying for US citizenship (a process called Naturalization) have affected 329,160 applicants. No Naturalization application can be approved without an FBI name check. The process for applying for US citizenship is discussed at the [Clark Hill website](#).

### **USCIS Suspends Premium Processing For All I-140 Applications**

On June 27, 2007 USCIS announced that effective July 2, 2007 [Premium Processing](#) will be temporarily suspended for the I-140 Immigrant Petition for Alien Worker. Premium processing ensures that USCIS adjudicates an I-140 petition within 15 days. This is due in large part to the many Adjustment of Status applications that will be received on July 2nd. The I-140 petition is the second stage of the [employment based green card process](#).



#### **Group Listing** **Immigration**

<b><u>Michael P. Nowlan</u></b> Co-Practice Group Leader	(313) 965-8666
<b><u>Kelli B. Matthew</u></b> Co-Practice Group Leader	(313) 965-8576*
<b><u>Celia Banks Washington</u></b>	(313) 965-3457

#### **Employment and Labor Law**

#### **Employee Benefits**

*\*designates a non-attorney*



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