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MEMORANDUM

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To: International Education Program Administrators

- 1) SEVIS Release 6.12 Expected 4/5.
- 2) SEVP Releases "Guidance for Adjudicators" on Reporting Instructional Sites
- 3) CBP Automation of I-94 Published in "Federal Register" on 3/27
- 4) USCIS Introduces Provisional I-601 Waivers
- 5) New Edition of I-9 Introduced
- 6) 3/15 DACA Statistics
- 7) CBP Releases FAQ on the Impact of Sequestration
- 8) USCIS Revises Public Hours of National Customer Service Center
- 9) USCIS California Service Center Cancels 4/10 Academic Community Engagement; NSC Schedules Student/School Issues Teleconference for 4/11
- 10) Deferred Enforced Departure Extended for Liberians
- 11) TSA to Permit Small Pocket Knives and Some Sporting Goods

1) SEVIS Release 6.12 Expected 4/5.

The NAFSA.News of March 19, 2013 announced the expected release of SEVIS Release 6.12 for April 5, 2013. According to the announcement: "DSOs and ROs will no longer be able to enter or edit information in the Form I-94 admission number field, as SEVIS will begin receiving that data via ADIS; SEVIS will be updated so that a SEVIS record should no longer be prematurely or incorrectly terminated or completed by the system when an H-1B petition is denied or withdrawn." The announcement and the release may be found [here](#).

2) SEVP Releases "Guidance for Adjudicators" on Reporting Instructional Sites

On March 22, 2013 SEVP released "SEVP Policy Guidance for Adjudicators 1003-03: Reporting Instructional Sites", effective March 22, 2013. SEVP seeks to relieve any confusion regarding what is meant by the term "instructional site." This clarification will narrow the scope of information which school officials must report for public schools and/or schools accredited by national recognized accrediting agencies. The main instructional site must be listed in field four under location of the school. The policy appears to require the maintenance of SEVIS information for the main instructional site of all public or accredited schools where an F or M student receives fifty percent or more of a program of study, and all separate record locations. All other schools must submit and maintain SEVIS records for all instructional sites and all record locations, although reporting of all separate locations for all institutions may be required by an adjudicator. For schools, particularly in urban areas, which have instructional sites or separate record locations a short distance from the main site, or within blocks of each other, DSOs will not need to report what is considered to be a "coterminous" site or a part of the main school site with deference given to the decision of the accrediting agency, or to state or local licensing agencies for their requirements as to what are separate sites where F or M students receive fifty percent or more of a program of study. This requirement would appear to make sense as there would seem to be no relevant distinction between a campus with buildings separated by grass and trees, as opposed to an urban campus with buildings separated by city blocks. The new guidance may be located [here](#) and should be carefully read, as the language is somewhat confusing.

3) CBP Automation of I-94 Published in "Federal Register" on 3/27

On March 21, 2013 CBP made its long awaited announcement that Form I-94 will be automated and that paper copies will be eliminated. The agency announced that it had submitted a rule to the "Federal Register" with the purpose of streamlining the admissions process with the change to go into effect thirty days after the rule is published in the "Federal Register," which happened on March 27, 2013. It was stated that those needing a hard copy or other evidence of admission would be directed to a website at www.cbp.gov/i94 which has not yet been activated. A copy of an I-94, based

on the electronically submitted data, including an I-94 number will be available from the website. USCIS has already announced that it will require a paper I-94 when benefits are requested. I-9s will require a paper I-94, as will state DMVs. Apparently, the information previously on the paper form will be captured electronically by the airline when the passenger checks in and when the passenger agent swipes their electronic passport (through APIS). This process will not apply to land entries. If an I-515 is needed, a paper I-94 will be generated. The NAFSA.News of March 26, carried the summary of a CBP update with NAFSA from March 14th. The summary is accessible [here](#). Of interest is that USCIS recently announced a revision of Form I-102, the application for replacement of a lost I-94.

4) USCIS Introduces Provisional I-601 Waivers

USCIS has announced that the long awaited Provisional Waiver Policy has been introduced. The change in policy permits applicants for green cards who are otherwise eligible, but who would be barred from entering the United States for a three or ten year period after they have departed because of their overstay of six months or more, to file and obtain the waiver of the bars in the United States. The waiver will then be forwarded to the appropriate American consulate where the individual, whose overstay had prevented them from adjusting their status in the United States, will be able to apply for their green cards and then, hopefully, return to their families in the United States. Previously, the individual was required to travel outside the United States and wait in the home country for the waiver to be approved before a consulate would issue the permanent resident visa. However, it must be remembered that the waiver will only be granted upon a showing of extreme hardship to spouses or parents of the individual, who are U.S. citizens or lawful permanent residents and who would face extreme hardship if there was a separation, or if the U.S. citizen or resident was required to live abroad. These are extremely difficult requirements and the process will, in all likelihood, not be widely utilized, or effective.

5) New Edition of I-9 Introduced

On March 8, 2013, the "Federal Register" published a notice by USCIS revising the I-9 employment eligibility verification form. As of May 7, 2013 the new form, with a revision date of March 8, 2013, is the only version of the I-9 which will be permitted. The new version, according to USCIS, makes several improvements designed to minimize errors in form completion including the addition of data fields for the employee's foreign passport information, if applicable, and telephone and email addresses. The form has also been expanded from one to two pages, not including the instructions and the list of acceptable documents. How these changes will "minimize errors in form completion," was not explained. The "Federal Register" notice may be found [here](#), and the USCIS notice with downloadable links may be found [here](#).

6) 3/15 DACA Statistics

Between August, 2012 through February 19, 2013 USCIS received 469,530 DACA applications of which it accepted 453,589. It approved 245,493 but did not state how many were denied. Mexico continues to be the top county of origin with 338,334 applications. By comparison El Salvador is the next with 18, 449 applications.

California had 128,412 applicants, Texas 73,258, and New York 25,735. New Jersey had 14,050.

7) CBP Releases FAQ on the Impact of Sequestration

On March 4, 2013 CBP issued an FAQ regarding "Impacts to Travel and Trade during Sequestration." CBP prioritizes security efforts for both travel and cargo, which they advise will be continued "consistent with all applicable legal requirements, including mandatory examinations of perishable commodities." All trusted traveler and trader programs, including Global Entry, SENTRI, Nexus, C-TPAT, and FAST will be maintained. The agency admits that sequestration... "may, at times, cause inconvenience for travelers at our ports of entry..." with increased wait times and reduced hours of service and will affect the summer peak travel season. The FAQ states: "In the air environment, we expect increased wait times at major U.S. international airports of up to 50 percent or more, with peak waits of up to four hours at our busiest airports..." It was also noted that sequestration will make flight transfers more difficult for CBP and TSA operatives. It must also be mentioned that outgoing TSA operations may also require additional time.

8) USCIS Revises Public Hours of National Customer Service Center

On March 22, 2013 USCIS will introduce new public hours of operation for its toll free number at 800-375-5283. Saturday hours of operation have been eliminated as of March 22, 2013. Commencing April 1, 2013 the National Customer Service Center will be open from 8am through 6pm Monday through Friday in all four time zones in the contiguous U.S. The statement goes on to state: "This adjustment will allow USCIS to better serve customers during peak contact hours and respond more quickly to customer need."

9) USCIS California Service Center Cancels 4/10 Academic Community Engagement; NSC Schedules Student/School Issues Teleconference for 4/11

On February 27, 2013 the USCIS California Service Center announced that its Academic Community Engagement scheduled for April 10, 2013 would be cancelled "...for reasons beyond our control..." (perhaps due to flooding) The event is in the process of being rescheduled. The Notice goes on to state: "Please accept our

apologies for any inconvenience and confusion this has caused. This does not reflect our high standard of commitment to the community we serve.”

However, NSC has announced a teleconference on Student/Schools Issues to be held on April 11, 2013 at 10am. The deadline for submission of questions is Tuesday, April 2, 2013. Questions can be submitted to ceo.nsa@dhs.gov. An RSVP is not required. Call-in information will be sent out closer to the teleconference date. To be added to the distribution email list, email the address listed above with your contact information.

10) Deferred Enforced Departure Extended for Liberians

On March 15, 2013 the White House released a “Presidential Memorandum” which extends the grant of Deferred Enforced Departure (DED) for an additional eighteen months from March 31, 2013 to September 30, 2014 for those Liberians who are present in the U.S. and already under a grant of DED since October 1, 2002. The announcement may be found [here](#).

11) TSA to Permit Small Pocket Knives and Some Sporting Goods

On March 5, 2013 the Transportation Safety Administration (TSA) announced that it was changing its prohibited items list. Effective April 25, 2013 small pocket knives and some sporting goods items will be permitted as carry on. These include small knives with non-locking blades smaller than 2.36 inches and less than ½ inch in width, as well as small novelty bats, toy bats, ski poles, hockey sticks, lacrosse sticks, billiard cues, and golf clubs (which will be limited to two). Razor blades and box cutters will continue to be prohibited, as well as full size baseball, softball, and cricket bats. The announcement which includes diagrams may be found [here](#).

Many thanks for your comments, your suggestions and for referring your students, scholars and faculty members.

Please let me know if you have any questions, or if you would like copies of any of the materials covered.

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