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October 5, 2011

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**MEMORANDUM**

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To: International Education Program Administrators

- 1) H-1B Cap Count
- 2) DHS Launches "Study in the States" Website
- 3) SEVP Publishes "Applying for a Drivers License or State Identification Card"
- 4) DV-13 Begins Noon October 4, 2011
- 5) Transformation Developments
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- 7) DHS Entry Statistics

1) H-1B Count

On September 14, 2011 USCIS updated the H-1B cap count to note that as of September 9, 2011, approximately 32,200 H-1B cap-subject petitions were receipted against the 65,000 total cap.

Further, USCIS has also receipted 16,700 H-1B petitions against the 20,000 cap for beneficiaries with advanced degrees.

2) DHS Launches “Study in the States “ Website

On September 16, 2011 the Department of Homeland Security announced the launch of the “Study in the States” website. The website is described as “...a new online initiative encouraging the best and the brightest international students to study in the United States enhancing the nation’s economic, scientific and technological competitiveness.” The fact sheet describes the website as an interagency information “hub” for DHS and other government agencies to encourage international students to study and remain in the United States. The fact sheet notes that there are more than 1.1 million active non-immigrant students, exchange visitors and dependants in the United States and that the government’s goal is to find “...new, innovative ways to encourage the best and brightest foreign students to study and remain in the U.S.” Does that mean that the middle of the class gets sent home? The website may be found [here](#).

3) SEVP Publishes “Applying for a Drivers License or State Identification Card”

SEVP has published an undated, but very useful publication entitled “Applying for a Drivers License or State Identification Card.” The publication may be found [here](#).

The publication is directed at DSOs and ROs to assist F, M, and J non-immigrants in obtaining drivers’ licenses or state identification cards. It is fourteen pages, and sets forth general information including interagency communication using SAVE, use of a social security number, name transliterations, and other issues, as well as links to other agencies including links to DMV websites for the 50 states plus Guam, and Washington, D.C.

4) DV-13 Begins Noon October 4, 2011

On September 27, 2011 the State Department issued a “Media Note” as a reminder that the DV-13 lottery program will open at noon eastern daylight time Tuesday October 4, 2011 and will close at noon eastern daylight time Saturday November 5, 2011. The “Media Note” may be found [here](#).

5) Transformation Developments

At a meeting held between the USCIS Office of Transformation Coordination with AILA on August 22, 2011 concern was expressed by AILA that, although the paper based I-539 will continue to be used after the introduction of the electronic portal, in the future the paper I-539 may cease to be used. It was asked when the use of the paper form will end and what will happen to users who will be unable to use the electronic portal. USCIS responded:

As you know, USCIS has been working toward moving away from a paper-based system. Our first step will be the initial deployment of the Integrated Operating Environment (IOE). This initial release of the IOE will be limited to those requesting:

- An extension of status as a: B-1, B-2, F-1, M-1 or M-2
- A change of status to: B-1, B-2, F-1, F-2, J-1, J-2, M-1 or M-2
- A reinstatement of status to: F-1, F-2, M-1 or M-2

When Transformation deploys in December 2011, customers will continue to have the option of filing the paper Form I-539 for processing in legacy systems. At this time, USCIS does not have target dates for when it plans to transition to mandatory e-filing. USCIS recognizes that mandatory e-filing may pose challenges to individuals with limited computer proficiency, those who lack access to the Internet/computer and those who may not have practical access to electronic banking and payment tools. To that end, USCIS will continue to engage with customers and stakeholders on the topic of mandatory e-filing, and information gathered will inform the decision on timing the transition of benefit types to mandatory e-filing.

USCIS will announce its plan to transition benefit types to mandatory e-filing through a Notice of Proposed Rulemaking.

It has also been announced that users will be able to upload I-20s. Although the transformation system will not interface with SEVIS, USCIS will work with ICE to address any problems. There are no immediate plans to integrate the two systems.

Of significant concern is the requirement of mandatory use of an electronic portal by those individuals who are not computer savvy or are unable to have access to computers. USCIS often mentions transformation together with the unlawful practice of law. The transformation effort may possibly be considered to be a “Notario Full Employment Act” as those needing immigration forms to be completed will flock to notaries and other unlicensed and unqualified immigration advisors. Perhaps, USCIS could contract form completion services with qualified non government organizations which can service this population at little or no cost as was done during the 1986 amnesty. For the demographic that would be encountered by the international advisement community, your workload may have just increased.

6) Libyan ESL Students and Special Student Relief

On September 14, 2011 SEVP sent out a Broadcast Message describing the conditions for participation in Libyan Special Student Relief for Libyan F-1 ESL students. The broadcast message may be found in the NAFSA resource library by clicking [here](#).

7) DHS Entry Statistics

DHS’s Office of Immigration Statistics, Policy Directory published a set of statistics in August entitled “Nonimmigrant Admissions to the United States: 2010.” These statistics note the ports of entry as well as classes of admission. New York is, by far, the most active port of entry with more than 46 million entrants in 2010, the next highest being Miami with more than 5 million. Sending countries were topped by Mexico with almost 13 million, the United Kingdom with more than 4.5 million, Japan with almost 4 million and Germany with more than 2 million, etc. In 2010 there were 1,514,783 (or 3.3% of all non-immigrants) F-1 admissions, 17,641 M-1 admissions, and 62,654 derivative F-2 and M-2 admissions. There were 484,740 J-1 admissions and 58,595 dependants. Please note that these are admissions and not individuals, as an individual may enter numerous times. The full publication 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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