



U.S. Citizenship  
and Immigration  
Services

# Fact Sheet

March 24, 2006

## **USCIS NOTIFIES EMPLOYERS OF FILING CHANGES**

*Two Service Centers designated to receive all I-129s and I-140s*

Washington, DC – U.S. Citizenship and Immigration Services (USCIS) today announced changes to the filing procedure for two popular employer-sponsored immigration forms. Starting on April 1<sup>st</sup>, employers filing a Petition for a Non-immigrant Worker (Form I-129) should mail that form directly to the Vermont Service Center. Also starting on April 1<sup>st</sup>, employers filing an Immigrant Petition for an Alien Worker (Form I-140) should mail that form directly to the Nebraska Service Center. Employers should file accompanying forms at these same centralized locations.

These changes mark the first phase of the USCIS initiative to use centralized filing and bi-specialized adjudication. Through this effort, USCIS will align similar workloads between two “sister” service centers. After April 1<sup>st</sup>, the Vermont and California Service Centers will process all I-129s and related dependent applications. The Nebraska and Texas Service Centers will process all I-140s and related permanent residency applications. Pairing work between service centers will allow USCIS to better manage cases and improve customer service.

Cases received before April 1<sup>st</sup> will generally be processed to completion by the center where they were received. To launch the processing initiative, USCIS has revised the filing instructions for each form type by establishing one filing location for each service center pairing. Applicants and petitioners should note that the service center designated as the filing location for a case type is not necessarily the service center that will adjudicate the case. Customers should pay close attention to their filing receipt because the service center that generates the receipt notice is the center that will complete the adjudication.

Applicants and petitioners should file their petitions and applications at the Service Center location indicated in the revised form instructions. Until further notice, USCIS will not reject applications or petitions filed at an incorrect Service Center. Instead, USCIS will accept the filing, redirect it to the correct location, and honor the initial receipt date.

USCIS has amended the instructions for Forms I-129, I-131, I-140, I-485, I-539, I-765 and I-907 to reflect only the change of filing location for certain filings associated with I-129 and I-140 packages. These forms, located on [USCIS.gov](http://uscis.gov), now reflect a new revision date. However, the content of the forms have not changed and the previously valid versions of these forms remain acceptable. Customers who have already prepared

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filings can use those forms without change and are only asked to mail them to the centralized locations. Customers who fail to learn of these new instructions and file in a previously appropriate location will not be disadvantaged.

### **VSC/CSC Pairing for I-129 Processing (and Related, Concurrent Applications)**

The VSC/CSC pairing will handle all Forms I-129, Petition for Nonimmigrant Worker, with the Vermont Service Center serving as the filing location. When Form I-539, Application to Extend/Change Status, for the principal's dependent spouse and children accompanies Form I-129, the entire package is filed with the Vermont Service Center. Although the filing location is the Vermont Service Center, some petitioners/applicants will receive a filing receipt from the California Service Center, if the case is worked by that Center. The Center that generates the receipt notice will be the Center that actually adjudicates the case. USCIS will not reject applications or petitions filed at the incorrect Service Center but instead will forward them to the appropriate designated Service Center for processing.

### **TSC/NSC Pairing for Form I-140 Processing (and Related, Concurrent Applications)**

The TSC/NSC pairing will handle all Forms I-140, Immigrant Petition for Alien Worker. Individuals who wish to apply for status as a lawful permanent resident by filing Form I-485, Application to Register Permanent Residence or Adjust Status, concurrently with Form I-140, should file the entire Form I-140/485 package with the Nebraska Service Center (including all dependent family members applying with the principal). Although the filing location is the Nebraska Service Center, some petitioners/applicants will receive a filing receipt from the Texas Service Center, if the case is worked by that center. The Center that generates the I-140/I-485 receipt notices will be the Center that actually adjudicates the case. USCIS will not reject applications or petitions filed at the incorrect Service Center but instead will forward them to the appropriate designated Service Center for processing.

Applicants who wish to include a request for advance parole and/or employment authorization with the I-140/I-485 filing should also include Form I-131, Application for Travel Document, and Form I-765, Application for Employment Authorization, in the same package. Applicants who wish to submit a request for advance parole and/or employment authorization after filing the I-485 should send the application to the Center that generated the receipt for the initial I-485 filing.

### **Shift in Centralized Processing for Certain Categories Covered Under Form I-129**

Effective April 1, 2006, nonimmigrant visa petitions for certain occupations covered under Form I-129 that were previously filed and processed at the Nebraska Service Center will now be filed and processed at the Vermont Service Center. These include:

- Petitions for Free Trade change of status or extension of stay;
- Male major league baseball, hockey, or indoor soccer players and female major league basketball players; and
- Canadian custom harvesters.

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Effective April 1, 2006, nonimmigrant visa petitions requesting E-1/E-2 classification previously filed with the Texas Service Center and the California Service Center will be filed with the Vermont Service Center and adjudicated at the California Service Center. Applicants will receive a filing receipt from the California Service Center.

#### **Amended Form I-129 Filing Address**

Effective April 1, 2006, all Forms I-129, Petition for a Nonimmigrant Worker, should be filed with the Vermont Service Center. When Form I-539, Application to Extend/Change Status, for the principal's dependent spouse accompanies Form I-129, the entire I-129/I-539 package is filed with the Vermont Service Center.

#### **Amended Form I-907 Filing Address for Premium Processing Services**

Effective April 1, 2006, petitioners requesting Premium Processing services upon filing Form I-129 should send the entire I-907/I-129 package to the Vermont Service Center. Petitioners requesting Premium Processing services for a Form I-129 that is already pending should file Form I-907 with the same Service Center where the Form I-129 is pending and must include a copy of the filing receipt.

#### **Amended Form I-539 Filing Address For Dependent Family Members**

**E, H, L, O, P, R, and TD Dependents:** Effective April 1, 2006, the dependent spouse and children of a principal E, H, L, O, P, R, or TN nonimmigrant should note the following instructions when filing Form I-539 to change their nonimmigrant status or extend their stay:

- **Dependents filing together with the principal:** The entire I-129/I-539 package for the principal and the dependents should be filed with the Vermont Service Center.
- **Dependents filing separately from the principal:** If the principal's Form I-129 is still pending, the Form I-539 package for the dependent(s) should be filed with the same Service Center where the principal's Form I-129 is pending. Include a copy of the receipt notice for the principal's pending Form I-129. If the principal's Form I-129 has already been approved and the principal's status has already been changed or extended, the Form I-539 package for the dependent(s) should be filed with the Vermont Service Center. Include a copy of the approval notice and evidence of the principal's current, unexpired status.

#### **Form I-539 Filing Address for All Other Principals and Dependents**

The filing instructions on Form I-539 for principals and dependents in all other nonimmigrant categories will not change on April 1, 2006. Until further notice, these applicants should continue filing Form I-539 according to the instructions on the form.

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### **Employment-Based Form I-485 Filing Address**

- **When Forms I-140 and I-485 are Filed Concurrently:** If an employment-based Form I-485 is filed together with an I-140 immigrant visa petition, the entire I-140/I-485 package for the principal and accompanying dependents should be mailed to the Nebraska Service Center.
- **When Form I-485 is Filed Separately from the Form I-140:** If Form I-140 is pending, the I-485 package for the principal and accompanying dependents should be mailed to the Service Center where the I-140 is pending. Include a copy of the receipt notice (or transfer notice if the case was subsequently transferred to another Service Center). If Form I-140 has already been approved, the I-485 package for the principal and accompanying dependents should be mailed to the Service Center that approved the Form I-140. Include a copy of the approval notice.

### **Filing Address for all other Form I-485 Applicants**

The filing instructions for all other I-485 applications are not changing on April 1, 2006. Until further notice, continue filing all other Forms I-485 in accordance with the instructions on the form including the “Direct Mail Instructions for Persons Filing I-485.”

### **Form I-765 Filing Address**

- **Employment-Based Adjustment Applications:** Form I-765 should be mailed to the same Service Center where the I-485 is filed or pending:
  - **Concurrent I-140/I-485/I-765 Packages:** Effective April 1, 2006, file the entire package with the Nebraska Service Center.
  - **Concurrent I-485/I-765 Packages (employment-based adjustment of status):** If Form I-140 is pending or has already been approved file the I-485/I-765 package with the Service Center that approved or is currently responsible for adjudicating your form I-140 petition. Refer to the form instructions for the addresses for each jurisdiction.
- **I-765 Packages (Employment-Based Adjustment Applicants) – Not filed Concurrently With Form I-485:** If your employment-based I-485 adjustment of status application is pending, until further notice continue filing the I-765 package with the Service Center where your I-485 is pending. Include a copy of the filing receipt or transfer notice, as applicable.
- **All Other I-765 Packages:** Until further notice, continue filing Form I-765 according to the instructions on the form including the “Direct Mail Instructions for Persons Filing Form I-765.”

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### **Form I-131 Filing Address for Advance Parole**

The filing instructions on Form I-131 will not change on April 1, 2006. As a general rule of thumb, the filing location for Form I-131 will be determined by the filing location for Form I-485.

### **Specific Filing Addresses**

To obtain the filing addresses for these form types, please visit the USCIS website at:

<http://uscis.gov/graphics/formsfee/forms/index.htm>.

– USCIS –

On March 1, 2003, U.S. Citizenship and Immigration Services became one of three legacy INS components to join the U.S. Department of Homeland Security. USCIS is charged with fundamentally transforming and improving the delivery of immigration and citizenship services, while enhancing our nation's security.