



Beach-Oswald Immigration Law Associates Newsletter

Washington, DC
Immigration Lawyers

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In This Issue

[Adopted Sibling
Cannot Petition for
Biological Sibling](#)

[Good News for
Green Card
Applicants](#)

[ICE's New Plan for
Targeting Criminal
Aliens](#)

[Amendments to
H-1B Rules](#)

[News for U.S.
Citizens Adopting
Foreign Children](#)

[Adoptions from
Guatemala Will Not
Be Approved](#)

[Foreign Students
Get 17-month OPT
Extension](#)

**Adopted
Sibling
Cannot
Petition for
Biological**

Beach-Oswald is a full-service law firm, concentrating on immigration law. We have special expertise in work visas, family based visas, visa waivers, green cards through family and employment and asylum. We have staff members who speak many different languages to assist you.

We succeed when others don't!

Good News for Green Card Applicants Awaiting FBI Name Checks



The USCIS and the FBI have developed the following deadlines for finally getting through the many pending permanent residence applications that are awaiting FBI name checks:

May 2008: Process all name checks pending more than three years

July 2008: Process all name checks pending more than two years

Nov. 2008: Process all name checks pending more than one year

Feb. 2009: Process all name checks pending more than 180 days

June 2009: Process 98 percent of all name checks within 30 days and process the remaining two percent within 90 days.

Hopefully the FBI will also comply with USCIS's request to resolve the approximately 29,800 pending name checks from naturalization applicants that were submitted to the FBI before May 2006 and the naturalization applicant was already interviewed.

Sibling



In a case decided on March 6, the 3rd Circuit Court upheld the BIA's decision that an adopted child may not petition for his/her biological sibling. The Court ruled that an adoption severs the petitioning sibling's relationship with his natural sibling because they no longer share a common parent.

Meet Newest Member of our Team



We are pleased to welcome **Polina Kropacheva** as the newest member of our legal team. Polina was born in St. Petersburg, Russia, and moved to the U.S. with her family in 1992. She received her BA from Georgetown University in 2005, and is now pursuing her law degree at Catholic University. Polina loves the area of immigration law, and is excited to be assisting the talented lawyers at BOILA! Polina is fluent in Russian and Spanish, and is hoping to soon improve her

ICE's New Plan to Target Criminal Aliens in Jail



On March 28 Immigration and Customs Enforcement (ICE) unveiled a plan called Secure Communities, the purpose of which is to ensure that removable aliens who are in federal, state and local prisons and jails are removed from the country instead of released into our communities. The plan will use integrated technology that allows local officers to submit an arrested person's fingerprints into an FBI database, which will then automatically be checked by DHS databases to access any immigration history for that individual, and will automatically notify ICE if the fingerprints are those of an immigration violator. ICE will then interview the detained individual and take the appropriate action.

According to ICE's estimates, there are approximately 300,000 to 450,000 convicted criminal aliens who are removable, that are detained each year at federal, state and local prisons and jails. ICE also estimates that it will cost between \$2 and 3 billion to remove all convicted criminal aliens per year. For more information, please visit www.ice.gov.

Amendments to H-1B Rules

The Department of Homeland Security has announced that as of March 24, 2008, employers will not be able to file more than one H-1B petition on behalf of the same worker in the same fiscal year. This rule applies to workers that are subject to a numerical limitation as well as workers that are exempt from a numerical limitation because they hold a master's degree.



News for U.S. Citizens Adopting Foreign Children

The Hague Adoption Convention, which provides a framework for international adoptions, entered into force on April 1, 2008. U.S. citizens that are looking to adopt



French speaking skills.

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children from Hague Convention member countries will require two new forms—Form I-800A (Application for Determination of Suitability to Adopt a Child From a Convention Country) and Form I-800 (Petition to Classify Convention Adoptee as an Immediate Relative). If you filed Form I-600A or I-600 prior to April 1, 2008, then you may continue the adoption process under the old regulations. For more information on the Hague Adoption Convention, please visit:

http://travel.state.gov/family/adoption/convention/convention_462.html

Adoptions from Guatemala Will Not Be Approved

The Department State announced that no adoptions of Guatemalan children will be approved starting on April 1 and until further notice. The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption went into effect on April 1, 2008, but Guatemala has not yet met its obligations under the Convention, and the government therefore intends to deny all I-800 forms (Petition to Classify Convention Adoptee as an Immediate Relative) filed by U.S. parents on behalf of Guatemalan children until Guatemala conforms to the Convention's regulations. Currently pending petitions that were initiated in Guatemala before December 31, 2007, however, will continue to be processed under the previous rules.



Foreign Students Get 17 Month OPT Extension

Normally foreign students on an F-1 visa receive 12 months to complete their Optional Practical Training (OPT), but on April 4, the Department of Homeland Security (DHS) announced that F-1 students with a degree in science, technology, engineering, or mathematics will now have their OPT extended to 29 months if they are employed by a business that has enrolled in the E-Verify program.



The idea behind this new rule, according to the DHS Secretary, is to help businesses attract highly skilled foreign workers, thus giving U.S. companies a competitive advantage in the world economy. The OPT extension also makes things easier for F-1 students whose 12 months of OPT work authorization expires before they are able to obtain an H-1B visa.

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