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ALERT

NOVEMBER 1, 2007

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www.mintz.com

One Financial Center
Boston, Massachusetts 02111
617 542 6000
617 542 2241 fax

701 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202 434 7300
202 434 7400 fax

666 Third Avenue
New York, New York 10017
212 935 3000
212 983 3115 fax

707 Summer Street
Stamford, Connecticut 06901
203 658 1700

USCIS Eliminates Receipt Requirement for Certain H and L Adjustment Applicants Returning from Overseas Travel

Effective November 1, 2007, United States Citizenship and Immigration Services (USCIS) will no longer require H or L visa holders with pending I-485 Permanent Residence Applications (also known as “adjustment of status” applications) to present an original I-485 receipt notice when arriving back in the United States after traveling outside of the country. Until today, USCIS regulations required H or L visa holders who travel outside of the United States while their adjustments are pending to show the original receipt notice for the I-485 filing upon reentry to the United States. Those who failed to carry their original I-485 receipt notices risked “abandoning” the pending I-485 application. While this regulation was seldom enforced, its existence in formal USCIS regulation caused many foreign nationals anxiety and concern.

This is an extremely positive and rational development and is welcome news for companies and their employees who have been struggling to effectively plan business or personal international travel in the face of USCIS’s inability to provide the original I-485 receipt for applications in a timely fashion. The full text of the revised rule is available [here](#).

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If you would like more information on any immigration matter, please contact your immigration attorney at Mintz Levin or go to www.mintz.com.

Susan Cohen
617.348.4468 | SCohen@mintz.com

Jeffrey Goldman
617.348.3025 | JGoldman@mintz.com

203 658 1701 fax

2029 Century Park East
Los Angeles, California 90067
310 586 3200
310 586 3202 fax

1400 Page Mill Road
Palo Alto, California 94304
650 251 7700
650 251 7739 fax

9255 Towne Centre Drive
San Diego, California 92121
858 320 3000
858 320 3001 fax

The Rectory
9 Ironmonger Lane
London EC2V 8EY England
+44 (0) 20 7726 4000
+44 (0) 20 7726 0055 fax

Reena Thadhani

617.348.3091 | RThadhani@mintz.com

William Coffman

617.348.1890 | WCoffman@mintz.com

Brian J. Coughlin

617. 348.1685 | BJCoughlin@Mintz.com

Lorne Fienberg

617.348.3010 | LFienberg@mintz.com

Marisa Howe

617.348.1761 | MHowe@mintz.com

Bethany S. Mandell

617.348.4403 | BSMandell@mintz.com

Daniel Maranci

617.348.1885 | DMaranci@mintz.com

Timothy Rempe

617.348.1621 | TRempe@mintz.com

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