



Long, Chang & Associates, L.L.P.

Immigration Attorneys

Phone (336) 855-5700 ♦ www.longchangonline.com

MARCH 20, 2009

IMMIGRATION ALERT

VOLUME 5, NUMBER 1



Attorneys
[David J. Long](#)
[Kristen A. Chang](#)

SUBSCRIBE NOW!!

If you would like to receive our monthly Immigration Newsletter by e-mail, call our office at (336) 855-5700 or send an email with "Subscribe" in the subject line to info@longchangonline.com.

Visa Retrogression in EB-3 Green Card Category Effective Immediately

March 20, 2009 - The April 2009 Visa Bulletin, published by the U.S. Department of State on March 9, 2009, indicates that the cutoff date in the Employment-Based 3rd Preference (EB-3) "Worldwide" category for skilled workers and professionals is retrogressing (moving backwards) approximately 2 years. Effective March 9, 2009, the new cutoff date in the EB-3 "Worldwide" category for skilled workers and professionals is March 1, 2003 (Note: The cutoff date in the EB-3 category for skilled workers and professionals born in or "chargeable" to India is November 1, 2001).

[\(Continued on page 2\)](#)

Non-Minister Religious Worker Program to be Extended

UPDATE – MARCH 23, 2009 – On Friday, March 20, 2009, President Obama signed H.R. 1127 into law, extending the non-minister special immigrant green card program until September 30, 2009.

March 20, 2009 - The special immigrant religious program for non-ministers will soon be extended. On March 11, 2009, Congress passed H.R. 1127 which will extend the non-minister special immigrant green card program until September 30, 2009. To read the full text of H.R. 1127 or its legislative history, visit <http://www.govtrack.us/congress/bill.xpd?bill=h111-1127>.

[\(Continued on page 2\)](#)



Other Articles In This Issue:

Page 3: [Current Immigration Processing Times: Department of State and U.S. Citizenship & Immigration Services](#)

CONTACT US:

Phone: (336) 855-5700
Fax: (336) 855-7111
Email: info@longchangonline.com

We're on the Web!!
www.longchangonline.com

4915 Piedmont Pkwy., Suite 103
Jamestown, NC 27282



SCHEDULE A CONSULTATION

To schedule an in-person or telephone consultation to discuss your immigration case, call our office at (336) 855-5700 or send an email to info@longchangonline.com.



**SCHEDULE A
CONSULTATION**

To schedule an in-person or telephone consultation to discuss your immigration case, call our office at (336) 855-5700 or send an email to info@longchangonline.com

**Long, Chang &
Associates, L.L.P.**

Phone: (336) 855-5700
Fax: (336) 855-7111
Email:
info@longchangonline.com

We're on the Web!!
www.longchangonline.com

4915 Piedmont Parkway
Suite 103
Jamestown, NC 27282

**EB-3 VISA RETROGRESSION
(Continued from Page 1)**

This means that foreign nationals in the EB-3 category for skilled workers and professionals with priority dates of March 1, 2003 or later will not be eligible for issuance of a green card or immigrant visa likely for several months beginning March 9, 2009. It is likely that there will not be much forward movement, if any, in the cutoff date for the EB-3 category until October 1, 2009 (at the earliest) when the new immigration fiscal year begins. Consequently, foreign nationals with pending I-485 applications with priority dates later than March 9, 2009 likely will not have their applications approved in the next several months and should keep this in mind so that they can file for an extension of their nonimmigrant visa status or Employment Authorization Document, as necessary. To view the April 2009 Visa Bulletin, visit www.longchangonline.com or visit the Department of State's website at http://travel.state.gov/visa/frvi/bulletin/bulletin_4438.html.

**NON-MINISTER PROGRAM EXTENDED
(Continued from Page 1)**

H.R. 1127 will become law once the President signs it or March 21, 2009 (10 days after the Senate passed H.R. 1127), whichever comes first. As of March 19, 2009, President Obama had not yet signed the bill into law. If the President does not sign it by March 21, 2009, H.R. 1127 will automatically become law and the extension will then go into effect.

The non-minister portion of the special immigrant green card program recently expired on March 6, 2009. Since that time, USCIS has not been accepting new I-485 green card applications based on approved I-360 Petitions in the non-minister category. Processing of I-360 Petitions and related I-485 applications filed prior to March 6, 2009 has been stopped temporarily, but will resume once the program is extended. Once HR. 1127 becomes law, USCIS will resume processing of I-360 Petitioner for non-ministers and related I-485 applications.

There is both good and bad news that the non-minister extension will continue only until September 30, 2009 (about 6 months from now). The bad news is that we will once be faced with a deadline of this program. In the past, the non-minister program has always been extended. However, the extensions have not always become law prior to its expiration. As a result, in both October 2008 and again from March 6 to the present, there has been a period of time in which the non-minister program was not in place, meaning both I-360 Petitions and I-485 applications for non-ministers could not be filed, or if already filed and pending, could not be approved during that period of time. Religious groups and the immigrant community are working towards a long-term strategy, such as an extension of 5-7 years, but it is uncertain if such an extension can be passed into law before the September 30, 2009 expiration date. The good news is that once H.R. 2007 becomes law and the September 30, 2009 deadline once again approaches, USCIS will likely expedite these non-minister cases (as it has done in the past when the non-minister program deadline approached) which could, in turn, lead to much faster processing of both I-360 Petitions and I-485 applications on behalf of non-ministers.



**SCHEDULE A
CONSULTATION**

To schedule an in-person or telephone consultation to discuss your immigration case, call our office at (336) 855-5700 or send an email to info@longchangonline.com

Long, Chang & Associates, L.L.P.

Phone: (336) 855-5700
Fax: (336) 855-7111
Email: info@longchangonline.com

We're on the Web!!
www.longchangonline.com

4915 Piedmont Parkway
Suite 103
Jamestown, NC 27282

CURRENT IMMIGRATION PROCESSING TIMES

To view the current immigration processing times, use the following links:

- [Department of State Visa Bulletin:](#)
- [U.S. Citizenship & Immigration Services:](#)
 - [National Benefits Center](#)
 - [Service Centers](#)
 - [Local Offices](#)

About Us

Long, Chang & Associates, L.L.P. is a full-service immigration law firm concentrating in the areas of employment-based and family-based immigration law. Our law firm has successfully represented individuals and employers through the immigration process with the Immigration and Naturalization Service (INS), Bureau of Citizenship and Immigration Services (BCIS), United States Citizenship and Immigration Service (USCIS) and at U.S. consulates and embassies in order to obtain both non-immigrant (temporary) visas and immigrant (permanent) visas on behalf of individuals or employees.

* * * * *



Kristen Aekyung Chang is a founding partner of Long, Chang & Associates, L.L.P. She practices exclusively in immigration law and is a member of the American Immigration Lawyers Association (AILA) and the North Carolina State Bar.

Born in Seoul, South Korea, Ms. Chang attended the University of North Carolina at Chapel Hill where she received a Bachelor of Arts degree in Psychology. While achieving academic success at the undergraduate level, Ms. Chang devoted much of her time to volunteerism. She served as the Chairperson on the Planning Committee for the University's Bicentennial Class celebration and served as a Research Assistant in the University's Psychology Department where she performed valuable research in the area of cognitive memory. Ms. Chang also volunteered in the school's International Department as an English language assistant for international students and faculty members and at a local psychiatric hospital. In addition to her numerous public-service efforts during her undergraduate career at the University of North Carolina at Chapel Hill, Ms. Chang studied abroad at the prestigious London School of Economics where she achieved the top academic ranking in International Business Strategy and Human Resource Management.

Ms. Chang received her J.D. (law) degree from the Wake Forest University School of Law. During law school, Ms. Chang was selected as a member of the Law School's Moot Court Board based on her performance in the school's trial court competition. She was one of three members on the school's nationally-recognized and award-winning National Moot Court Evidence Team. During law school, Ms. Chang studied Labor and Employment Law at the law school's summer program in Italy.

Following law school, Ms. Chang opened her own immigration law practice in Greensboro, North Carolina, and subsequently joined Mr. Long in founding Long, Chang & Associates. As a naturalized citizen of the United States, Ms. Chang understands the immigration practice not just as an immigration lawyer but as an immigrant herself who has gone through the immigration process. Based on her personal experiences, Ms. Chang has a remarkable way of relating with her clients and perceiving their anxieties and concerns.



**SCHEDULE A
CONSULTATION**

To schedule an in-person or telephone consultation to discuss your immigration case, call our office at (336) 855-5700 or send an email to info@longchangonline.com



David J. Long founded Long, Chang & Associates, L.L.P. in 1998. He has been recognized by the North Carolina State Bar as a Board-Certified Specialist in Immigration Law. Mr. Long is a member of the American Immigration Lawyers Association (AILA) and the North Carolina State Bar. Mr. Long serves as a Mentor for other immigration attorneys through AILA.

Prior to founding Long, Chang & Associates, L.L.P., Mr. Long worked as an attorney with the law firm of Kilpatrick Stockton in Winston-Salem, North Carolina. Mr. Long practices in the areas of immigration law, corporate law and real estate.

Born in Philadelphia, Pennsylvania, Mr. Long attended the University of North Carolina at Chapel Hill where he studied in the Honors Program and received a Bachelor of Arts degree in Political Science. In addition, Mr. Long studied the Korean Language at Duke University for a semester while attending UNC-CH. Mr. Long graduated magna cum laude and in the top 1% of his class.

Mr. Long graduated with highest honors and received his J.D. (law) degree from the Wake Forest University School of Law. During law school, Mr. Long was selected as a member of the Law Review based on his academic standing. He was one of three members on the school's nationally-recognized Gabrielli Family Law Moot Court Team. Mr. Long also studied Labor and Employment Law at the law school's summer program in Italy. Following law school, Mr. Long worked as an attorney in the commercial real estate department of Kilpatrick Stockton LLP in Winston-Salem, NC, one of largest law firms in the United States. After two years of working at a large law firm, Mr. Long desired the opportunity to assist clients on a more personal basis. As a result, he joined Ms. Chang in forming Long, Chang & Associates, L.L.P. Most recently, Mr. Long served as an adjunct faculty member at Handong International Law School in Pohang, South Korea where he taught U.S. Immigration and Naturalization Law.

* * * * *

IMPORTANT NOTE: This Newsletter is for informational purposes only, as a service for our clients and friends. The contents of this Newsletter and our website are not intended as legal advice for any purpose, and you should not consider them as advice or as legal opinion on any matters. This Newsletter does not create, and is not intended to create, any attorney/client relationship between you and Long, Chang & Associates, L.L.P.

* * * * *

Long, Chang & Associates, L.L.P.

Phone: (336) 855-5700
Fax: (336) 855-7111
Email: info@longchangonline.com

We're on the Web!!
www.longchangonline.com

4915 Piedmont Parkway
Suite 103
Jamestown, NC 27282