

Immigrant Experience: Residency stamp is valid after green card expires

San Jose Mercury News (California)

April 16, 2006 Sunday

Copyright 2006 San Jose Mercury News All Rights Reserved

The Mercury News

Found on BayArea.com

Section: B; Pg. 3

Length: 571 words

Byline: Jessie Mangaliman, Mercury News

Body

Q Where and how do I get a temporary proof of permanent resident status before my appointment for fingerprinting and photographs?

My 10-year **green card expires** in mid-April. I applied for a renewal and filed form I-90. I got a receipt, but I don't have a fingerprinting appointment yet.

I am unemployed and in the middle of a job search. I would like to be prepared with my documents for potential interviews and offers. What I did not realize was that without a **valid green**, no one could hire me.

Yuko TsukagoshiSunnyvale

A To get a Temporary Evidence of Lawful Permanent Residence, or I-551, **stamped** on your passport, visit the Web site of the U.S. and Immigration Services and make an Infopass appointment at https://infopass.uscis.gov/info_en.php.

An employer will ask to see proof of your immigration status only **after** you are hired and asked to complete Form I-9, according to immigration attorney Carolyn Choi of Mountain View.

The I-551 Permanent Residence **Card** is **valid** for employment authorization whether the **green card** is **expired** or not, she said.

Q Is it possible to file two petitions -- one filed through an employer, a labor certification form and form I-140, at the same time as a petition filed by relative, form I-130?

Viswanathan EkambaramMountain View

A Yes, it is possible to have more than one **immigrant** visa petition pending, including more than one I-140 petition or more than one I-130 petition, said Anja Freudenthal, an immigration attorney in San Francisco.

An I-140 petition is filed by an employer on behalf of a foreign worker, she said. For instance, there are some rare instances in which the foreign worker can self-petition, Freudenthal said, such as an "extraordinary ability" worker who also happens to be sponsored by a U.S. employer.

Immigrant Experience: Residency stamp is valid after green card expires

The I-130 petition is a family-based petition and requires the petitioning relative to be a U.S. citizen or a lawful permanent resident, she said, such as a spouse, an adult child, a parent or a sibling.

You can be sponsored by several relatives, she said. Usually when the I-140 or the I-130 petition is approved, there is an additional wait for the visa to become available before one can apply for the **green card**, Freudenthal said.

Visa availability is public information and can be viewed on the State Department Web site at http://travel.state.gov/visa/frvi/bulletin/bulletin_1360.html. Visa bulletins are updated monthly.

Citizenship informational workshop: The USCIS has scheduled a workshop in Cupertino called, "Overview of Adjustment of Status."

The workshop will be from 1 to 3 p.m. Tuesday at the Cupertino Senior Center, 21251 Stevens Creek Blvd. The session will be conducted in English, with Chinese translation.

Although the workshop is free, the public is asked to confirm attendance by calling the reservation line: (408) 918-3986.

This information is not intended as legal advice. Any person with questions about his or her individual circumstances should contact an immigration lawyer, a state-bonded immigration expert or a federally accredited immigration representative, and should not rely on general statements made in this column.

Send your questions to immigration@mercurynews.com or fax us at (408) 288-8060. You can also write to us at: **Immigrant Experience**, San Jose Mercury News, Newsroom, 750 Ridder Park Drive, San Jose, Calif. 95190. To have a question considered, you MUST include your name, city of residence and daytime phone number.

Classification

Language: ENGLISH

Publication-Type: Newspaper

Subject: PASSPORTS & VISAS (90%); IMMIGRATION (90%); FOREIGN LABOR (89%); PETITIONS (89%); CITIZENSHIP (78%); FINGERPRINTING (78%); EMPLOYMENT SEARCH (76%); FAMILY (76%); STATE DEPARTMENTS & FOREIGN SERVICES (74%); APPROVALS (72%); LAWYERS (71%)

Industry: WEBSITES (74%); LAWYERS (71%)

Geographic: CALIFORNIA, USA (79%); UNITED STATES (79%)

Load-Date: April 16, 2006