



U.S. Citizenship
and Immigration
Services

SEP 19 2008

HQ 70/8

Interoffice Memorandum

To: Field Leadership

From: Donald Neufeld, Acting Associate Director
Domestic Operations

A handwritten signature in black ink, appearing to read "Donald Neufeld", written over the printed name in the "From" field.

Re: Handling of Non-Minister Special Immigrant Religious Worker Petitions Affected by the
October 1, 2008, Sunset Date

Purpose

The purpose of this memorandum is to provide guidance on the processing and adjudication of Forms I-360, Petition for Amerasian, Widow(er), or Special Immigrant, filed on behalf of special immigrant religious workers engaged in a religious vocation or occupation affected by the upcoming October 1, 2008, sunset date. This memorandum also provides guidance on the processing and adjudication of Forms I-485, Application to Register Permanent Residence or Adjust Status, based on an underlying Form I-360 affected by the October 1 sunset date as well as guidance for processing these petition and application types on or after October 1, 2008.

Background

Section 203(b)(4) of the Immigration and Nationality Act (INA) provides for the admission as "special immigrants" individuals who qualify as professional or other religious workers in a religious vocation or occupation as defined at INA § 101 (a)(27)(C)(ii)(II) and (III). These provisions were originally enacted in 1990, and have been extended multiple times. These provisions will expire on October 1, 2008. Individuals seeking to immigrate under either of these two special immigrant religious worker classifications must adjust their status to that of a lawful permanent resident or be admitted with an immigrant visa before October 1, 2008. This sunset date includes the accompanying spouse and children of such special immigrant religious workers. This sunset date does not affect those special immigrant religious workers seeking to

