

January 25, 2021

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
75 Lower Welden St.
St. Albans, VT 05479



U.S. Citizenship
and Immigration
Services

[REDACTED]
c/o JIA J WU
PUYANG & ASSOCIATES LLC
5602 BALTIMORE NATL PIKE STE 208
CATONSVILLE, MD 21228



EAC202695 [REDACTED]



A [REDACTED]

RE: [REDACTED]
I-129, Petition for a Nonimmigrant Worker

LIMITED VALIDITY NOTICE

On July 27, 2020, your organization, [REDACTED], filed a Form I-129, Petition for a Nonimmigrant Worker (Form I-129), with U.S. Citizenship and Immigration Services (USCIS), seeking to classify [REDACTED] (beneficiary) as a temporary worker in a specialty occupation (H-1B) under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (INA).

Section 101(a)(15)(H)(i)(b) of the INA relates to an alien:

...who is coming temporarily to the United States to perform services...in a specialty occupation described in section 214(i)(1)..., who meets the requirements for the occupation specified in section 214(i)(2)..., and with respect to whom the Secretary of Labor determines and certifies to the Attorney General that the intending employer has filed with the Secretary an application under 212(n)(1).

USCIS has limited the petition validity period to less time than requested on the petition. On your petition, you requested a validity period of August 21, 2020 to August 20, 2023.

However, USCIS records indicate that the beneficiary filed a Form I-485, Application to Register Permanent Residence or to Adjust Status on October 13, 2019. On September 24, 2020, USCIS approved the Form I-485. As such, the approval of the instant nonimmigrant petition will serve no purpose beyond September 24, 2020, as the beneficiary had already received the benefit of lawful permanent resident status as of that date. Please note that this validity period limitation will not affect the beneficiary's lawful permanent resident status.

The petition validity period has been limited to less time than requested on the petition. The petition validity period has been limited to September 24, 2020, the date the beneficiary obtained lawful permanent resident status.



If you disagree with the decision regarding the duration of the validity period, you may file a motion or appeal by completing a Form I-290B, Notice of Appeal or Motion. You may also include a brief or other written statement in support of your appeal. The appeal must be filed within 33 days from the date of this notice. If an appeal or a motion is not filed within 33 days, this decision is final.

You must send your completed Form I-290B and supporting documentation with the appropriate filing fee to:

USCIS 290B
PO Box 21100
Phoenix AZ 85036

To obtain the Form I-290B, visit www.uscis.gov/forms. For the latest information on filing location, fee, and other requirements, refer to the Form I-290B instructions; review 8 CFR 103.3 or 103.5; call our USCIS Contact Center at 1-800-375-5283; or visit your local USCIS office.

The Small Business Regulatory Enforcement and Fairness Act established the Office of the National Ombudsman (ONO) at the Small Business Administration. The ONO assists small businesses with issues related to federal regulations. If you are a small business with a comment or complaint about regulatory enforcement, you may contact the ONO at <http://www.sba.gov/ombudsman> or phone 202-205-2417 or fax 202-481-5719.

Sincerely,



Laura B. Zuchowski
Director
Officer: S



December 14, 2020

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
75 Lower Welden St.
St. Albans, VT 05479



U.S. Citizenship
and Immigration
Services



c/o JIA J WU
PUYANG & ASSOCIATES LLC
5602 BALTIMORE NAT'L PIKE STE 208
CATONSVILLE, MD 21228



EAC202565



A

RE: 
I-129, Petition for a Nonimmigrant Worker

REQUEST FOR EVIDENCE

IMPORTANT: THIS NOTICE CONTAINS YOUR UNIQUE RECEIPT NUMBER. THIS PAGE MUST BE SUBMITTED WITH THE REQUESTED EVIDENCE.

You are receiving this notice because U.S. Citizenship and Immigration Services (USCIS) requires additional evidence to process your form. Please provide the evidence requested on the attached page(s). Include duplicate copies if you are requesting consular notification.

Your response must be received in this office by March 11, 2021.

Please note that you have been allotted the maximum period allowed for responding to a Request for Evidence (RFE). The time period for responding cannot be extended. See Title 8 Code of Federal Regulations (8 CFR), Section 103.2(b)(8)(iv). Because many immigration benefits are time sensitive, you are encouraged to respond to this request as early as possible, but no later than the deadline provided above. If you do not respond to this notice within the allotted time, your case may be denied. The regulations do not provide for an extension of time to submit the requested evidence.

You must submit all requested evidence at the same time. If you submit only some of the requested evidence, USCIS will consider your response a request for a decision on the record. See 8 CFR 103.2(b)(11).

If you submit a document in any language other than English, the document must be accompanied by a full and **complete** English translation. The translator must certify that the translation is accurate and he or she is competent to translate from that language to English. **If you submit a foreign language translation in response to this request for evidence, you must also include a copy of the foreign language document.**

Processing of your form or benefit request will resume upon receipt of your response. If you have not heard from USCIS within **60 days of responding**, you may contact the USCIS Contact Center (UCC) at **1-800-375-5283**. If you are hearing impaired, please call the UCC TDD at **1-800-767-1833**.

E38



H-1B Specialty Occupation Worker - Introduction

On July 10, 2020, your organization, [REDACTED] (petitioner, petitioning organization, or you), filed a Form I-129, Petition for a Nonimmigrant Worker (Form I-129) with U.S. Citizenship and Immigration Services (USCIS), seeking to classify [REDACTED] (beneficiary) as an H-1B specialty occupation worker.

The H-1B classification applies to individuals who will perform services in a specialty occupation. A specialty occupation is one that requires theoretical and practical application of a body of highly specialized knowledge, and attainment of a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum for entry into the occupation in the United States.

You seek a continuation of previously approved employment without change with the same employer and to extend the beneficiary's stay.

You stated on the petition that you perform [REDACTED] and [REDACTED] [REDACTED] sector with 400+. You seek to employ the beneficiary as a software developer.

You are seeking to change or extend nonimmigrant status on behalf of the beneficiary. Records indicate that he was granted Lawful Permanent Resident (LPR), status on August 27, 2020.

As an LPR, the beneficiary is not eligible to change or extend his or her prior nonimmigrant status. If it is the beneficiary's intention to pursue status as an H-1B nonimmigrant and abandon the LPR status, then the beneficiary must depart the United States and apply for a nonimmigrant visa at a consulate abroad. The U.S. Consulate will require Form I-407, Abandonment of Lawful Permanent Residence Status, when applying for the nonimmigrant visa.

The record does not show that it is the beneficiary's intent to abandon LPR status.

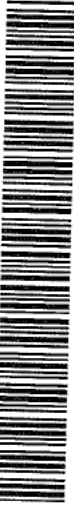
Therefore, submit the following:

- A signed statement of the beneficiary's intent to abandon his or her LPR status and why;
- A request for consular processing; and
- The name of the U.S. consulate to be notified of an approval.

If the beneficiary does not intend to pursue the nonimmigrant visa, you may wish to withdraw this petition.

PLEASE RETURN THE REQUESTED INFORMATION AND ALL SUPPORTING DOCUMENTS
WITH THIS ORIGINAL REQUEST ON TOP TO:

U.S. CITIZENSHIP AND IMMIGRATION SERVICES
75 LOWER WELDEN ST
ST ALBANS VT 05479



December 21, 2020

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
75 Lower Welden St.
St. Albans, VT 05479



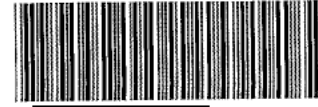
U.S. Citizenship
and Immigration
Services



c/o JIA J WU
PUYANG & ASSOCIATES LLC
5602 BALTIMORE NATL PIKE STE 208
CATONSVILLE, MD 21228



EAC202625 [Redacted]



A [Redacted]

RE: [Redacted]

I-129, Petition for a Nonimmigrant Worker

REQUEST FOR EVIDENCE

IMPORTANT: THIS NOTICE CONTAINS YOUR UNIQUE RECEIPT NUMBER. THIS PAGE MUST BE SUBMITTED WITH THE REQUESTED EVIDENCE.

You are receiving this notice because U.S. Citizenship and Immigration Services (USCIS) requires additional evidence to process your form. Please provide the evidence requested on the attached page(s). Include duplicate copies if you are requesting consular notification.

Your response must be received in this office by March 18, 2021.

Please note that you have been allotted the maximum period allowed for responding to a Request for Evidence (RFE). The time period for responding cannot be extended. See Title 8 Code of Federal Regulations (8 CFR), Section 103.2(b)(8)(iv). Because many immigration benefits are time sensitive, you are encouraged to respond to this request as early as possible, but no later than the deadline provided above. If you do not respond to this notice within the allotted time, your case may be denied. The regulations do not provide for an extension of time to submit the requested evidence.

You must submit all requested evidence at the same time. If you submit only some of the requested evidence, USCIS will consider your response a request for a decision on the record. See 8 CFR 103.2(b)(11).

If you submit a document in any language other than English, the document must be accompanied by a full and **complete** English translation. The translator must certify that the translation is accurate and he or she is competent to translate from that language to English. **If you submit a foreign language translation in response to this request for evidence, you must also include a copy of the foreign language document.**

Processing of your form or benefit request will resume upon receipt of your response. If you have not heard from USCIS within **60 days of responding**, you may contact the USCIS Contact Center (UCC) at **1-800-375-5283**. If you are hearing impaired, please call the UCC TDD at **1-800-767-1833**.

E38



Lawful Permanent Resident

You seek H-1B classification for the beneficiary. USCIS records indicate that the beneficiary was granted Lawful Permanent Resident (LPR) status on August 27, 2020.

Accordingly, the beneficiary may no longer require nonimmigrant H-1B status. If you wish to continue seeking the adjudication of this petition, state so in response to this request. If you do not wish to continue seeking the adjudication of this petition, submit a written withdrawal request in response to this request.

As an LPR, the beneficiary is ineligible for an extension of stay or change of status to an H-1B worker. If USCIS approves the petition, any extension of stay or change of status request will be denied. If you wish to request consular processing, rather than pursue an extension of stay or a change of status for the beneficiary, state so in response to this request.

PLEASE RETURN THE REQUESTED INFORMATION AND ALL SUPPORTING DOCUMENTS
WITH THIS ORIGINAL REQUEST ON TOP TO:

U.S. CITIZENSHIP AND IMMIGRATION SERVICES
75 LOWER WELDEN ST
ST ALBANS VT 05479

