



Shanghai Consulate News for Americans

Issue 33

October, 2010

November 2 Election - Vote NOW!

This newsletter is published by the American Citizen Services (ACS) Unit, U.S. Consulate General in Shanghai. If there are any particular topics you are interested in, please contact ACS at: ShanghaiACS@state.gov.

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Don't miss out! Most states mailed the ballots for the November 2 election in mid-September. If you have not received your ballot yet, it may be that you have not registered or requested your absentee ballot for this election.

If you think you may not have registered or requested an absentee ballot, register and request your ballot by going to www.fvap.gov/FPCA. Click on your State on the map, follow the instructions and be sure to specify your preferred ballot delivery option. State election officials are now required to allow you to request receipt of your blank ballot electronically. Unless you specify a delivery option preference, your State will choose to send your ballot by mail and you may not receive it in time to vote. You must register and request your ballot before the state deadline to vote on November 2 even if you use a write-in ballot. Deadlines for registration and requesting your ballot vary by state but we recommend you complete the forms immediately to avoid missing the deadline.

If you have registered and requested your absentee ballot but have not received it, complete and submit a Federal Write-in

Absentee Ballot (FWAB)—or "emergency ballot" to ensure your vote is counted. You can download the FWAB at <http://www.fvap.gov/resources/media/fwab.pdf>, write in the candidates of your choice, and send it to your local election officials (for a list of voting officials, please go to <http://www.fvap.gov/shortcuts/wheresendfpc.html>). If your regular absentee ballot arrives later, fill it out and send it back too. If by chance both make it in by the deadline, your local election official will be able to determine which of the two ballots should be counted. Proper submission of both ballots will not invalidate your vote or result in two votes being cast.

For more information, please visit www.fvap.gov or shanghai.usconsulate.gov. If you need any assistance with registering to vote, requesting an absentee ballot or voting, please call us at (86-21) 3217-4650, send an email to VoteShanghai@state.gov, or come to our office located at 8F, Westgate Mall, 1038 West Nanjing Road, Shanghai during our open hours. We are happy to help.

Regards,
American Citizen Services
U.S. Consulate General in Shanghai

Special points of interest:

- * November 2 Election — Vote NOW!
- * Beware of Scam Artists

Upcoming Holidays and Other Closures

The American Citizen Services Unit will be *CLOSED* on the following days:

November 11, Thursday:

Veteran's Day

November 25, Thursday:

Thanksgiving Day

Beware of Scam Artists

The American Citizen Services section has been contacted recently regarding two scams involving American citizens. **The first scam is called the "black money" scam.** The scam involves sending a letter or directly contacting the victim explaining that, in order to prevent the theft of U.S. currency being shipped overseas, the U.S. government has a process to coat \$100 bills with a special ink (usually black). The criminal explains that one such shipment has been intercepted, and if the victim helps purchase a special solvent to "clean" the bills, the criminal will share the proceeds. The process is bogus, and the victim loses whatever money they have invested.

The second scam is called the **"grandparents" scam.** This scam involves a call to a family member, usually a grandparent, by the scam artist. In the call, the scam artist impersonates the grandchild and explains a series of unfortunate or embarrassing events, and asks that the grandparent wire them money to deal with the situation quietly. In one instance, the scam artist called the grandparent and explained that he was arrested for public drunkenness and needed money to pay the fine without alerting his parents. The grandparent then wired the money to an account he/she believes is **the grandchild's, but the account belongs to the scammer.** The grandpar-

ent or family member lost whatever money they wired.

These two cases are reminders that we should always be aware of our surroundings and be alert to scams. If something sounds too good to be true, it probably is. **With scams like the "grandparent scam", always try to get independent verification of the grandchild's whereabouts and situation before sending money or providing any personal information.**

If you hear of any scams from friends and acquaintances, please let us know so that we can alert others.

Security Situation - Travel Warnings and Alerts

Security reminder: It is prudent for you and your family to review your personal security profile and to be aware of your surroundings at all times.

Since our previous Newsletter, the U.S. Department of State has issued new Travel Warnings for the following countries:

<u>Cote d'Ivoire</u>	10/20/2010
<u>Nigeria</u>	10/19/2010
<u>Yemen</u>	10/15/2010
<u>Lebanon</u>	10/08/2010
<u>Iran</u>	10/08/2010
<u>Sudan</u>	10/01/2010
<u>Eritrea</u>	09/24/2010

Travel Warnings are issued to describe long-term, protracted conditions that make a country dangerous or unstable. A Travel Warning is also issued when the U.S. Government's ability to assist American citizens is constrained due to the closure of an embassy or consulate

or because of a drawdown of its staff. This information is available at http://travel.state.gov/travel/cis_pa_tw/tw/tw_1764.html.

The U.S. Department of State also has issued new Travel Alerts:

<u>Korea, Republic of</u>	10/27/2010
<u>Europe - Terrorism</u>	10/03/2010

Travel Alerts are issued to disseminate information about short-term conditions generally within a particular country or region that pose imminent risks to the security of U.S. citizens. Natural disasters, terrorist attacks, coups, anniversaries of terrorist events, election-related demonstrations or violence, and high-profile events such as international conferences or regional sports events are examples of conditions that might generate a Travel Alert. This information is available at

http://travel.state.gov/travel/cis_pa_tw/pa/pa_1766.html.

The most up-to-date information regarding permitted and prohibited items on flights can be viewed online at <http://www.tsa.gov/travelers/airtravel/prohibited/permitted-prohibited-items.shtm>.

For additional information, please visit "Americans Traveling Abroad" on the U.S. Department of State website: http://travel.state.gov/visa/americans/americans_1252.html. Students traveling abroad may wish to visit the State Department site designed for them: <http://studentsabroad.state.gov/>.

To obtain up-to-date information on security conditions, please call 1-888-407-4747 (toll free in the United States), or +1-202-501-4444 if you are outside the United States.

Final Rule Adjusting Fees for Immigration Benefits

After Public Comment, U.S. Citizenship and Immigration Services Announces Final Rule Adjusting Fees for Immigration Benefits

Introduction

U.S. Citizenship and Immigration Services (USCIS) today announced a final rule (http://www.ofr.gov/OFRUpload/OFRData/2010-23725_PI.pdf) adjusting fees for immigration applications and petitions. The final rule follows a period of public comment on a proposed version of the rule, which USCIS published in the *Federal Register* (<http://edocket.access.gpo.gov/2010/pdf/2010-13991.pdf>) on June 11, 2010. After encouraging stakeholders to share their input, USCIS considered all 225 comments received. The final rule will increase overall fees by a weighted average of about 10 percent but will not increase the fee for the naturalization application. The rule will also reduce fees for six individual applications and petitions and will expand the availability of fee waivers to new categories. The final rule will be published in the *Federal Register* September 24, and the adjusted fees will go into effect on November 23, 2010.

USCIS is a primarily fee-based organization with about 90 percent of its budget coming from fees paid by applicants and petitioners for immigration benefits. The law requires USCIS to conduct fee reviews every two years to determine whether it is recovering its costs to administer the **nation's immigration laws, process applications, and provide the infrastructure needed to support those activities.** Remaining funds come

from appropriations provided annually by Congress. The final fee rule concludes a comprehensive fee review begun in 2009.

USCIS's Fee-based Budget

Fees account for approximately \$2.4 **billion of USCIS's \$2.8 billion budget** request for fiscal year (FY) 2011. More than two-thirds of the budget supports the adjudication of applications and petitions for immigration benefits at USCIS field offices, service centers, customer service call centers and records facilities. The remainder supports USCIS business transformation efforts and the funding of headquarters program offices.

The adjudication areas supported by fees include the following:

- Family-based petitions - facilitating the process for close relatives to immigrate, gain permanent residency, travel and work;
- Employment-based petitions - facilitating the process for current and prospective employees to immigrate to or stay in the U.S. temporarily;
- Asylum and refugee processing - adjudicating asylum and processing refugees;
- Naturalization - adjudicating eligibility for U.S. citizenship;
- Special status programs - *adjudicating eligibility for U.S. immigration status as a form of humanitarian aid to foreign nationals*; and
- Document issuance and renewal - verifying eligibility for, producing and issuing immigration documents.

USCIS's fee revenue in fiscal years 2008 and 2009 was much lower than

projected, and fee revenue in fiscal year 2010 remains low. While USCIS did receive appropriations from Congress and made budget cuts of approximately \$160 million, this has not bridged the remaining gap between costs and anticipated revenue. A fee adjustment, as detailed in the final rule, is necessary to ensure USCIS recovers the costs of its operations while also meeting the application processing goals identified in the 2007 fee rule.

Highlights of the 2010 Final Fee Rule

The final fee rule will increase the average application and petition fees by approximately 10 percent. In recognition of the unique importance of naturalization, the final fee rule contains no increase in the naturalization application fee.

The final fee rule establishes three new fees for:

- Regional center designation under the Immigrant Investor Pilot Program (EB-5);
- Individuals seeking civil surgeon designation (with an exemption for certain physicians who examine servicemembers, veterans, and their families at U.S. government facilities); and
- Recovery of the USCIS cost of processing immigrant visas granted by the Department of State.

The final fee rule adjusts fees for the premium processing service. This

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Social Security Administration Q & A

The American Citizen Services (ACS) Unit has compiled a list of commonly asked questions raised to the Chief of the Asia Pacific Rim of the Social Security Administration (SSA) International Operations in Manila during his recent visit to Shanghai. More Q & A can be found at <http://ssa-custhelp.ssa.gov/>. If you are coming to ACS to submit a Social Security application or to obtain notarial services, please make an appointment beforehand online through <https://evisaforms.state.gov/acs/default.asp?postcode=SHG&appcode=1>.

Q: Where can I get Social Security assistance when I reside in China?

A: You may contact the Asia Pacific Rim of the SSA International Operations in Manila for assistance. The SSA office in Manila is configured to be like a U.S. stateside district office, providing many of the same services and functions. Its primary function is to administer SSA programs and services for people residing in the East-Asia Pacific Region. Ways to contact the SSA office in Manila are listed below.

Mailing Address:

Social Security Administration
U.S. Embassy Manila
1201 Roxas Boulevard, Ermita, 0930
Manila, Philippines

Phone: (632) 301-2000 8:00 AM to 4:00 PM, Monday through Friday

Fax: (632) 522-1514

Email: FBU.Manila@ssa.gov

Website:

manila.usembassy.gov/wwwaha013.html

Q: Can I apply for a Social Security Number (SSN) at the U.S. Consulate in Shanghai?

A: Yes. You may apply for a SSN at the American Citizen Services (ACS) Unit of the U.S. Consulate General in Shanghai. ACS will then forward your application to the SSA office in Manila for further processing. Due to varying diplomatic pouch mail pickup times and delays, it typically takes 3-6 months for people to receive a Social Security card in China. Please consult with the SSA office in Manila or ACS on what to bring before you come to ACS to submit your application.

Q: Is there any way for me to know the SSN sooner?

A: Yes. Since the Social Security card will be mailed directly from the SSA office in Baltimore to the mailing address that you provide on your SSN application, you may wish to give a U.S. mailing address (of say, a trusted friend or relative) on your SSN application. Then, if you wish, you could ask that person to read the SSN to you over the phone and /or send it to you by fax or email. This will help you to avoid an extra 2 to 4 weeks for international mail delivery.

Q: I need the SSN to file taxes (file my

income tax return). Can I request to know the number before I receive the actual card in the mail?

A: Yes. You may ask the ACS staff to add a note on your SSN application to request the SSA office in Manila to release your number once it's issued. Since the SSN can only be released when you appear in person, the SSA office in Manila will normally release the issued SSN to the ACS unit of the Consulate, and notify you to come to ACS to pick up your number in person. You may be able to know the SSN through this method in 2-3 months after you submit your complete SSN application to ACS.

Q: Can I apply for a SSN for my dependent to be used to file my U.S. tax return?

A: Your dependent is eligible for a SSN if s/he is a U.S. citizen or has been admitted by the United States for permanent residence or U.S. employment. If your dependent is not eligible to have an SSN, you may apply for an Individual Tax Identification Number (ITIN) instead. To apply for an ITIN, please 1) complete IRS form W-7, available at www.irs.gov/pub/irs-pdf/fw7.pdf, 2) obtain a certified copy of your dependent's passport from ACS as a notarial service, 3) check the instructions with form W-7

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Leaving Shanghai Consular District?

If you are departing the Shanghai consular district after a long stay here and you formally registered your stay with the U.S. Consulate, please do not forget to cancel your registration when you leave.

You can unregister yourself by visiting the <https://travelregistration.state.gov> site if you previously registered through this site.

If you previously submitted a paper registration form to the U.S. consulate, you may unregister yourself by sending an email request to: ShanghaiACS@state.gov.

Final Rule Adjusting Fees for Immigration Benefits

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adjustment will ensure that USCIS can continue to modernize as an efficient and effective organization.

The final fee rule reduces fees for six individual applications and petitions:

- Petition for Alien Fiancé (Form I-129F);
- Application to Extend/Change Nonimmigrant Status (Form I-539);
- Application to Adjust Status from Temporary to Permanent Resident (Form I-698);
- Application for Family Unity Benefits (Form I-817);
- Application for Replacement Naturalization/Citizenship Document (Form N-565); and
- Application for Travel Document (Form I-131), when filed for Refugee Travel Document.

The final fee rule eliminates two citizenship-related fees for those service members and veterans of the U.S. armed forces who are eligible to file an Application for Naturalization (Form N-400) with no fee:

- Request for Hearing on a Decision in Naturalization Proceedings (Form N-336); and
- Application for Certificate of Citizenship (Form N-600).

Lastly, the final fee rule expands the availability of fee waivers to new categories, including:

- Individuals seeking humanitarian parole under an Application for Travel Document (Form I-131);
- Individuals with any benefit request under the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008; and
- Individuals filing a Notice of Appeal or Motion (Form I-290B) following a denial of any application or petition that did not initially require a fee.

Final Rule: Schedule of Fees

The following schedule lists the adjusted fees that will take effect on November 23, 2010, alongside the existing fees in effect until that date:

Form No.	Application/Petition Description	Old Fees	New Fees
I-90	Application to Replace Permanent Resident Card	\$290	\$365
I-102	Application for Replacement/Initial Nonimmigrant Arrival-Departure Document	\$320	\$330
I-129/CW	Petition for a Nonimmigrant Worker	\$320	\$325
I-129F	Petition for Alien Fiancé(e)	\$455	\$340
I-130	Petition for Alien Relative	\$355	\$420
I-131	Application for Travel Document	\$305	\$360
I-140	Immigrant Petition for Alien Worker	\$475	\$580
I-191	Application for Advance Permission to Return to Unrelinquished Domicile	\$545	\$585
I-192	Application for Advance Permission to Enter as Nonimmigrant	\$545	\$585
I-193	Waiver of Passport and/or Visa	\$545	\$585
I-212	Application for Permission to Reapply for Admission into the U.S. after Deportation or Removal	\$545	\$585
I-290B	Notice of Appeal or Motion	\$585	\$630
I-360	Petition for Amerasian, Widow(er), or Special Immigrant	\$375	\$405
I-485	Application to Register Permanent Residence or Adjust Status	\$930	\$985
I-526	Immigrant Petition by Alien Entrepreneur	\$1435	\$1500
I-539	Application to Extend/Change Nonimmigrant Status	\$300	\$290
I-600/A I-800/A	Petition to Classify Orphan as an Immediate Relative/Application for Advance Processing of Orphan Petition	\$670	\$720
I-601	Application for Waiver of Ground of Excludability	\$545	\$585
I-612	Application for Waiver of the Foreign Residence Requirement	\$545	\$585
I-687	Application for Status as a Temporary Resident under Sections 245A or 210 of the Immigration and Nationality Act	\$710	\$1130
I-690	Application for Waiver of Grounds of Inadmissibility	\$185	\$200
I-694	Notice of Appeal of Decision under Sections 245A or 210 of the Immigration and Nationality Act	\$545	\$755
I-698	Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of Public Law 99-603)	\$1370	\$1020
I-751	Petition to Remove the Conditions of Residence	\$465	\$505
I-765	Application for Employment Authorization	\$340	\$380
I-817	Application for Family Unity Benefits	\$440	\$435
I-824	Application for Action on an Approved Application or Petition	\$340	\$405
I-829	Petition by Entrepreneur to Remove Conditions	\$2850	\$3750
I-881	Application for Suspension of Deportation or Special Rule Cancellation of Removal (Pursuant to Section 203 of Public Law 105-110)	\$285	\$285
I-907	Request for Premium Processing Service	\$1000	\$1225
	Civil Surgeon Designation	\$0	\$615
I-924	Application for Regional Appeal Center under the Immigrant Investor Pilot Program	\$0	\$6230
N-300	Application to File Declaration of Intention	\$235	\$250
N-336	Request Hearing on a Decision in Naturalization Proceedings	\$605	\$650
N-400	Application for Naturalization	\$595	\$595
N-470	Application to Preserve Residence for Naturalization	\$305	\$330
N-565	Replacement Naturalization/Citizenship Document	\$380	\$345
N-600/ 600K	Application for Certification of Citizenship/ Application for Citizenship and Issuance of Certificate under Section 322	\$460	\$600
	Immigrant Visa	\$0	\$165
Biometrics	Capturing, Processing, and Storing Biometric Information	\$80	\$85

Shanghai Consulate News for Americans

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Open 8:00am - 11:30am

and 1:30pm - 3:30pm

Monday to Friday *Closed on
Tuesday afternoons, weekends,
and holidays.

<http://shanghai.usconsulate.gov>

TAX NEWS

IMPORTANT INFO—THE IRS WILL NOT BE MAILING INDIVIDUAL OR BUSINESS TAX PACKAGES BEGINNING TY2010

Individual and business taxpayers will no longer receive paper income tax packages in the mail from the IRS. These tax packages contained the forms, schedules and instructions for filing a paper income tax return.

The IRS is taking this step because of the continued growth in electronic filing and the availability of free options to taxpayers, as well as to help reduce costs.

In early October, the IRS sent a postcard to individuals who filed paper returns last year and did not use a tax preparer or tax software.

- Individuals making \$49,000 or less can use the Volunteer Income Tax Assistance program for free tax preparation and, in many cases, free electronic filing.
- Individuals aged 60 and older can take advantage of free tax counseling and basic income tax preparation through Tax Counseling for the Elderly.
- IRS Free File provides options for free brand-name tax software or online fillable forms plus free electronic filing. Everyone can use Free File to prepare a federal tax return. Taxpayers who make \$58,000 or less can **choose from approximately 20 commercial software providers. There's no** income limit for Free File Fillable Forms, the electronic version of IRS paper forms, which also has free e-filing.

If you have any questions regarding this alert, please contact the International Program administrators at wi.international.administrator@irs.gov.

Social Security Administration Q & A

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for additional filing requirements, such as the need to include original, completed tax returns, available at www.irs.gov/instructions/iw77/index.html, and 4) mail the completed form, certified copy of your dependent's passport and other documents to: IRS, ITIN Operation, PO Box 149342, Austin, Texas 78714-9342.

Q: How can I receive my Social Security benefits when I reside in China?

A: Unfortunately, international direct deposit from the U.S. Treasury Department to accounts in China is not available yet. There are several other ways for you to receive your Social Security benefits payment if

you reside in China. Option 1: provide a U.S. bank account to the Social Security Administration and have your payment sent to the U.S. account. Then arrange to transfer/wire the funds to a local account or make withdrawals via ATM here. Option 2: provide a bank account located elsewhere in the region if you can. Jurisdictions near China where direct deposit is available include Hong Kong, Japan. Option 3: provide your address in China and have your payment sent by check to the ACS unit of the U.S. Consulate General. ACS will then forward the check to you via a registered mail through the local postal system. Beneficiaries residing in the Shanghai consular district usually get their Social Security checks 4-6 weeks later after the checks are issued in the U.S.

Q: How can I contribute to the Social Security when I reside in China? I need 40 credits for retirement benefits, but I only have 32. Can I just pay in to buy the other 8 credits?

A: Unfortunately you cannot buy credits. The only way you can get credits is by earning wages in a job that is covered by Social Security or by having net income from self-employment. If you work for a federal, state or local government agency that is not covered by Social Security, you don't pay Social Security tax and you don't earn credits for monthly benefits based on those earnings. If you pay Medicare tax on those earnings, you earn credits toward qualifying for Medicare at age 65.