

## JUNE 2008

The law firm of **Klasko, Rulon, Stock & Seltzer, LLP** is pleased to present our *June 2008* newsletter covering immigration topics that are of interest to our clients.

### Headlines:

- **1. U.S. Department of Labor (DOL) Auditing All Permanent Labor Certification Applications Filed by Fragomen, Del Rey, Bernsen & Loewry** – DOL announced on June 2, 2008 that it had begun auditing all permanent labor certification applications filed by attorneys at the Fragomen firm.
- **2. E-Verify Update: Naturalization, Arrival Data Incorporated** – A series of enhancements to E-Verify are intended to improve the accuracy of the system's automatic confirmation processes.
- **3. DHS Issues Supplemental Q&A on OPT Interim Rule for F-1 Students** – Among other things, the supplemental Q&A discusses the e-mail notification process allowing an employer whose pending H-1B petition on behalf of an F-1 student was randomly selected to receive an H-1B visa number for FY 2009 to request change of status in lieu of consular processing, as originally indicated on the petition.
- **4. Federal Contractors Will Be Required to Use E-Verify** – On June 6, 2008, President Bush issued an Executive Order amending Executive Order 12989 requiring contractors as a condition of each future federal contract to agree to use the E-Verify program.
- **5. USCIS Plans to Propose Halting Concurrent I-140, I-485 Filings** – USCIS plans to propose disallowing concurrent filings of the Application to Register Permanent Residence or Adjust Status with the Immigrant Petition for Alien Worker.
- **6. USCIS will Offer Premium Processing for Certain Form I-140 Petitions** – Effective June 16, 2008. USCIS will accept requests for premium processing services for Form I-140 petitions on behalf of aliens who are nearing the end of their sixth year in H-1B nonimmigrant status.
- **7. USCIS Announces Proposed Rule To Increase Periods of Stay for TN Professionals From Canada and Mexico** – The proposal would extend the maximum period of admission for Trade NAFTA workers from one year to three years.
- **8. EAD Cards Based on Pending I-485 to be Valid for Two Years** – Effective July 1, 2008, USCIS will be extending the validity of EAD cards based on a pending I-495 for a period of two years.
- **9. DHS to Implement an Electronic System for Travel Authorization (ESTA) to Determine Eligibility of Visitors to Travel to the U.S. Under the Visa Waiver Program** – DHS has announced that it will be issuing an Interim Final Rule which establishes a new online automated system used to determine the eligibility of visitors to travel to the United States under the Visa Waiver Program (VWP) and whether such travel poses any law enforcement or security risk.

- **10. Arizona Governor Signs Bill Amending Arizona Workers Act and Vetoes Bill Requiring Local Immigration Enforcement** – An Arizona employer's business license may not be suspended or revoked if an employee hired before January 1, 2008, is an undocumented worker.
- **11. Laptops, Storage Devices May Undergo Scrutiny At Border** – The Ninth Circuit Court of Appeals held that the federal government has discretion to search a laptop or other personal electronic storage device at the border.
- **12. New Publications and Items of Interest**
- **13. Government Agency Links**
- **14. Klasko News** – Upcoming and recent speaking engagements, appointments, publications, and much more.

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## **1. U.S. Department of Labor (DOL) Auditing All Permanent Labor Certification Applications Filed by Fragomen, Del Rey, Bernsen & Loewy LLP**

DOL announced on June 2, 2008 that it has begun auditing all permanent labor certification applications filed by attorneys at the Fragomen law firm. The DOL stated that it has information indicating that in at least some cases the firm improperly instructed clients who filed permanent labor certification applications to contact their attorney before hiring apparently qualified U.S. workers. According to DOL, its regulations specifically prohibit an employer's immigration attorney or agent from participating in considering the qualifications of U.S. workers who apply for positions for which certification is sought, unless the attorney is normally involved in the employer's routine hiring process. DOL is now taking the position that where an employer does not normally involve immigration attorneys in its hiring process, there is no legitimate reason to consult with immigration attorneys before hiring apparently qualified U.S. workers who have responded to recruitment required by the permanent labor certification program. DOL expects that the audits will determine which, if any, applications should be denied or placed into department-supervised recruitment because of improper attorney involvement in the consideration of U.S. worker applicants. The action being taken by DOL and the rationale given for such action raises serious issues regarding the proper role of an attorney in counseling an employer during the labor certification recruiting process. Pending a resolution of these issues, we believe it is appropriate during the recruitment phase of labor certification process to provide the employer with legal advice regarding the employer's compliance with applicable regulatory requirements.

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## **2. E-Verify Update: Naturalization, Arrival Data Incorporated**

E-Verify (formerly known as the Basic Pilot/Employment Eligibility Verification Program) is an Internet-based system operated by the Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA) that allows participating employers to electronically verify the employment eligibility of their newly hired employees.

Any participating company in the U.S. can access E-Verify through a government Web site that compares employee information taken from the employment authorization verification form (I-9) with more than 444

million records in the Social Security Administration (SSA) database, and more than 60 million records in Department of Homeland Security immigration databases.

A series of enhancements, intended to improve the accuracy of the system's automatic confirmation processes, was recently announced. USCIS said the E-Verify system will begin to include naturalization data, noting that naturalized citizens who have not yet updated their records with the SSA are the largest category of work-authorized persons who initially face an SSA mismatch in E-Verify. A naturalized citizen who receives a citizenship mismatch with SSA may call USCIS to resolve the issue, in addition to the option of resolving the mismatch in person at any SSA field office.

E-Verify also will now include real-time arrival data from the Integrated Border Inspection System. This additional data source is expected to reduce the number of immigration status-related mismatches for newly arriving workers.

USCIS also plans to initiate citizenship status records information-sharing with SSA to further prevent mismatches from occurring. E-Verify also plans to use checks against Department of State passport records in the near future.

Information on E-Verify and work authorization is available at

<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=1914c9676d006110VgnVCM1000004718190aRCRD&vgnnextchannel=1847c9ee2f82b010VgnVCM10000045f3d6a1RCRD>

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### 3. DHS Issues Supplemental Q&A on OPT Interim Rule for F-1

DHS issued supplemental questions and answers (Q&A) on an Interim Final Rule, effective April 8, 2008, that extends the maximum period of optional practical training (OPT) from 12 months to 29 months for F-1 students who have completed a science, technology, engineering, or mathematics (STEM) degree and accept employment with employers enrolled in U.S. Citizenship and Immigration Services' (USCIS') E-Verify employment verification program. Currently, F-1 students who have been enrolled on a full-time basis for at least one full academic year in a certified college, university, conservatory, or seminary are eligible for 12 months of OPT to work for a U.S. employer in a job directly related to the student's major area of study.

Among other things, the supplemental Q&A notes that on April 18, 2008, USCIS announced an e-mail notification process allowing a petitioner whose pending H-1B petition on behalf of an F-1 student was randomly selected to receive an H-1B visa number for fiscal year (FY) 2009 to request change of status in lieu of consular processing, as originally indicated on the petition. Because some FY 2009 H-1B petitions for these students already may have been approved for consular processing when USCIS published this e-mail notification process, the Q&A asks: Can the petitioner still request change of status? The answer is yes. The Q&A states that the petitioner should send an e-mail to the USCIS service center that issued the approval, using the designated e-mail address (below). Such requests must include the H-1B receipt number, as well as the petitioner's and the beneficiary's names.

If the H-1B petition and change of status application are pending, the change of status request should be submitted to the center within 30 days of the receipt notice. In addition to including the receipt number and the name of the petitioner and beneficiary, the Q&A notes, the request also should include the beneficiary's

date of birth, I-94 (Arrival/Departure Record) number, and Student and Exchange Visitor Information System (SEVIS) number.

Separate e-mail addresses have been established for premium and non-premium processing cases:

Vermont Service Center

Premium processing cases: [VSCPPCAPGAP.Vscppcapgap@dhs.gov](mailto:VSCPPCAPGAP.Vscppcapgap@dhs.gov)

Non-premium cases: [VSCNONPPCAPGAP.Vscnonppcapgap@dhs.gov](mailto:VSCNONPPCAPGAP.Vscnonppcapgap@dhs.gov)

California Service Center

Premium processing cases: [CSC.ppcapgap@dhs.gov](mailto:CSC.ppcapgap@dhs.gov)

Non-premium cases: [CSC.nonppcapgap@dhs.gov](mailto:CSC.nonppcapgap@dhs.gov)

The second supplemental Q&A is available at [http://www.uscis.gov/files/article/supplemental\\_opt\\_052308.pdf](http://www.uscis.gov/files/article/supplemental_opt_052308.pdf). The first supplemental Q&A is available at [http://www.uscis.gov/files/article/OPT\\_4Apr08.pdf](http://www.uscis.gov/files/article/OPT_4Apr08.pdf). The interim rule is available at <http://edocket.access.gpo.gov/2008/pdf/E8-7427.pdf>.

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#### **4. Federal Contractors will be Required to Use E-Verify**

On June 6, 2008, President Bush issued an Executive Order amending Executive Order 12989 requiring contractors, as a condition of each future federal contract, to agree to use an electronic employment eligibility verification system designated by the Secretary of Homeland Security to verify the employment eligibility of all persons hired during the contract term and all persons performing work within the United States on the federal contract. DHS Secretary Michael Chertoff subsequently designated E-Verify as the system of choice. Proposed implementing regulations were published in the Federal Register on June 12, 2008. There is a sixty day comment period on the proposed regulations. The proposed regulations can be found at the following link: <http://edocket.access.gpo.gov/2008/pdf/E8-13358.pdf>.

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#### **5. USCIS Plans to Propose Halting Concurrent I-140, I-485 Filings**

USCIS plans to propose disallowing concurrent filings of the I-485 (Application to Register Permanent Residence or Adjust Status) with the I-140 (Immigrant Petition for Alien Worker), and instead mandate that a worker applying for adjustment of status be the beneficiary of an approved immigrant petition before filing the adjustment application.

DHS made this and other regulatory announcements in its semiannual regulatory agenda published May 5, 2008 (<http://edocket.access.gpo.gov/ua080505/pdf/ua080506.pdf>), which listed a targeted publication date of June 2008 for this proposed rule. Significant delays in publication dates listed in the semiannual regulatory agenda are common.

## 6. UCCIS Will Offer Premium Processing for Certain I-140 Petitions

Effective June 16, 2008 USCIS will accept requests for premium processing services for Form I-140 petitions on behalf of aliens who are nearing the end of their six year in H-1B nonimmigrant status. USCIS is limiting Premium Processing Service for Form I-140 petitions that are filed on behalf of aliens:

- Who are currently in an H-1B nonimmigrant status;
- Whose sixth year will end within 60 days;
- Who are only eligible for a further extension of H-1B nonimmigrant status under section 104(c) of the American Competitiveness in the Twenty-first Century Act of 2000 (AC21); and
- Who are ineligible to extend their H-1B status under section 106(a) of AC21.

Section 104(c) of AC21 permits applicants to extend their stay in H-1B nonimmigrant status in increments of up to three years, provided they are the beneficiary of an approved Form I-140 and an immigrant visa is not immediately available. Section 106(a) of AC21 permits applicants to extend their stay in H-1B nonimmigrant status in increments of up to one year, provided the Form I-140 petition or underlying labor certification has been pending for at least 365 days.

For more details on Premium Processing Service for the Form i-140 petitions described in this announcement, visit the USCIS web site at: [http://www.uscis.gov/files/article/premiumproc\\_factsheet\\_i140\\_061108.pdf](http://www.uscis.gov/files/article/premiumproc_factsheet_i140_061108.pdf).

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## 7. USCIS Announces Proposed Rule to Increase Periods of Stay for TN Professionals from Canada, Mexico

USCIS published a Notice of Proposed Rulemaking (NPRM) on May 9, 2008, to increase the maximum amount of time a Trade NAFTA (TN) professional worker from Canada or Mexico can remain in the U.S. before seeking readmission or obtaining an extension of stay. The proposal would extend the maximum period of admission for TN workers from one year to three years, the same term that USCIS currently may grant to H-1B specialty occupation workers.

The proposed rule would further allow eligible TN nonimmigrants to be granted an extension of stay in increments of up to three years, as opposed to the current maximum of one year. TN nonimmigrants are not subject to a maximum period of stay and thus may seek multiple readmissions or extensions, provided their intended professional activity continues and they remain otherwise eligible. Current regulations require that TN workers seek readmission or apply for an extension of stay each year.

Canadian and Mexican citizens seeking temporary entry to the U.S. as professionals may come into the country as TN nonimmigrants under the North American Free Trade Agreement (NAFTA). TN status is available to Canadian and Mexican citizens with a minimum of a bachelor's degree, or appropriate professional credentials, who work in professions listed in Appendix 1603.D.1 to Annex 1603 of the NAFTA and under DHS regulations at 8 CFR 214.6(c). Eligible TN professions include, but are not limited to, accountants, engineers, attorneys, pharmacists, scientists, and teachers.

USCIS said the rule is intended to ease administrative burdens and costs on TN nonimmigrants and will benefit U.S. employers. The proposed changes also would apply to spouses and unmarried, minor children of TN nonimmigrants in their corresponding nonimmigrant classifications as NAFTA dependents.

The NPRM is available at <http://edocket.access.gpo.gov/2008/pdf/E8-10343.pdf>. Persons wishing to comment may access the Federal e-Rulemaking Portal and follow the instructions for submitting comments. USCIS will accept public comments until June 9, 2008.

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## **8. EAD Cards Based on Pending I-485 to be Valid for Two Years**

DHS Secretary Chertoff announced that effective July 1, 2008, USCIS will be extending the validity period of EAD cards issued to individuals with pending I-485 adjustment of status applications for a validity period of two years instead of only one year.

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## **9. DHS to Implement an Electronic System for Travel Authorization (ESTA) to Determine Eligibility of Visitors to Travel to U.S. Under the Visa Waiver Program**

DHS has announced that it will be issuing an Interim Final Rule which establishes a new online automated system used to determine the eligibility of visitors to travel to the United States under the Visa Waiver Program (VWP) and whether such travel poses any law enforcement or security risk. ESTA will be implemented as a mandatory program 60 days after publication of a notice in the Federal Register. DHS anticipates issuing that notice in November 2008, for implementation of the mandatory ESTA requirements on January 12, 2009. Once ESTA is mandatory, all nationals or citizens of VWP countries who plan to travel to the United States for temporary business or pleasure under the VWP will be required to receive an electronic travel authorization through ESTA prior to boarding a U.S.-bound airplane or vessel. Accompanied and unaccompanied children, regardless of age, will be required to obtain an independent ESTA approval. A third party, such as a relative or travel agent, will be permitted to submit an ESTA application on behalf of a VWP traveler.

The system will initially be available in English only to process voluntary applications beginning on August 1, 2008 and will be available in a variety of different languages to facilitate the voluntary application process for the overwhelming majority of VWP travelers by October 15, 2008. An ESTA approval only authorizes a traveler to board a carrier for travel to the United States under the VWP. In the same way that a valid visa does not constitute a determination of admissibility, an approved ESTA is not a guarantee of admissibility to the United States at a port of entry. In all cases, U.S. Customs and Border Protection (CBP) officers make admissibility determinations at our ports of entry or pre-clearance facilities.

In order to apply for an ESTA authorization on or after August 1, 2008, go to <https://esta.cbp.dhs.gov/>, follow the instructions to answer all the required questions, and submit an application for a travel authorization. For more detailed information on ESTA, go to [http://www.dhs.gov/xnews/releases/pr\\_1212498415724.shtm](http://www.dhs.gov/xnews/releases/pr_1212498415724.shtm) for DHS: Fact Sheet: Electronic System for Travel Authorization (ESTA).

## 10. Arizona Governor Signs Bill Amending Arizona Workers Act, Vetoes Bill Requiring Local Immigration Enforcement

On May 1, 2008, Governor Janet Napolitano of Arizona signed into law amendments to the Legal Arizona Workers Act (LAWA). The amendments (H.B. 2745) specify that an Arizona employer's business license may not be suspended or revoked if an employee hired before January 1, 2008, is an undocumented worker. In other ways, the amendments expand LAWA; for example, by including undocumented independent contractors among those an employer must not knowingly hire.

In other news, Governor Napolitano vetoed a bill (H.B. 2807) that would have required local law enforcement to work with federal authorities to address immigration violations. "House Bill 2807 is simply an unnecessary, unfunded mandate to law enforcement," she wrote.

A lawsuit challenging LAWA is on appeal to the U.S. Court of Appeals for the Ninth Circuit in San Francisco. For more information on the lawsuit, see [http://www.nilc.org/immsemplymnt/state\\_local/essl002.htm](http://www.nilc.org/immsemplymnt/state_local/essl002.htm).

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## 11. Laptops, Storage Devices May Undergo Scrutiny At Border

The Ninth Circuit Court of Appeals held on April 21, 2008 (*U.S. v. Arnold*) that the federal government has discretion to search a laptop or other personal electronic storage device at the border. The court concluded that "reasonable suspicion is not needed for customs officials to search a laptop or other personal electronic storage devices at the border," noting that "Arnold has failed to distinguish how the search of his laptop and its electronic contents is logically any different from the suspicionless border searches of travelers' luggage that the Supreme Court and we have allowed."

In the brief for amici curiae, the Association of Corporate Travel Executives (ACTE) and the Electronic Frontier Foundation (EFF) noted that although laptop searches by border agents have raised increasing concerns during the last year, they still come as a surprise to most travelers. The brief notes that in an October 2006 survey of business travel managers, ACTE found that only six percent of the managers knew that border agents randomly search, seize, and copy the contents of travelers' computers, and only one percent had received reports from travelers that their laptops had been seized by U.S. border officials. The survey results showed that "even very experienced business travelers are completely surprised to learn that the U.S. government conducts these searches and seizures randomly," the brief noted.

ACTE and EFF noted the "wide ranging implications of the government's arguments." Indeed, they said, under the government's reasoning, border authorities could systematically collect all of the information contained on every laptop computer, BlackBerry, and other electronic device carried across our national borders by every traveler, American or foreign: "The government could then store and search all of this information without justification and without oversight from the courts." ACTE and EFF further noted that the Fourth Amendment simply does not apply: "If accepted, the government's argument will establish an end run around the Constitution's prohibition against unreasonable searches and seizures."

While this issue remains unresolved, travelers handling sensitive information for corporations or clients may wish to work remotely online using a leased computer, or e-mail information, rather than storing it on a laptop and carrying it across the border. Even a BlackBerry could pose a serious breach of privacy if carried during international travel.

The opinion is available at

[http://www.ca9.uscourts.gov/coa/newopinions.nsf/6D5D931898D8168188257432005AC9B8/\\$file/0650581.pdf?openement](http://www.ca9.uscourts.gov/coa/newopinions.nsf/6D5D931898D8168188257432005AC9B8/$file/0650581.pdf?openement). The brief for amici curiae is available at [http://w2.eff.org/legal/cases/US\\_v\\_arnold/arnold\\_amicus.pdf](http://w2.eff.org/legal/cases/US_v_arnold/arnold_amicus.pdf).

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## 12. New Publications and Items of Interest

USCIS genealogy program. U.S. Citizenship and Immigration Services published a final rule on May 15, 2008, effective August 13, 2008, that establishes a fee-for-service Genealogy Program "to streamline and improve the process for acquiring historical records of deceased individuals." The rule is available at <http://edocket.access.gpo.gov/2008/pdf/E8-10651.pdf>.

Immigration enforcement actions in 2006. The Department of Homeland Security's Office of Immigration Statistics recently released 2006 statistics on immigration enforcement actions. The agency noted that in 2006, it apprehended more than 1.2 million foreign nationals, of whom 88 percent were natives of Mexico. In that year, there were 8,778 Immigration and Customs Enforcement Office of Investigations criminal arrests and 6,872 convictions for immigration-related crimes. Also in 2006, ICE detained approximately 257,000 foreign nationals and removed 272,389. The leading countries of origin of those removed were Mexico (67 percent), Honduras (10 percent), and Guatemala (7 percent). Over 1 million other foreign nationals accepted an offer to return to their home countries without a removal order. Expedited removals accounted for 110,147, or 40 percent, of all removals in 2006, and DHS removed 95,752 known criminals.

The report is available at [http://www.dhs.gov/xlibrary/assets/statistics/publications/enforcement\\_ar\\_06.pdf](http://www.dhs.gov/xlibrary/assets/statistics/publications/enforcement_ar_06.pdf).

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## 13. Government Agency Links

*Follow these links to access current processing times of the USCIS Service Centers and the Department of Labor, or the Department of State's latest Visa Bulletin with the most recent cut-off dates for visa numbers:*

- USCIS Service Center processing times online: <https://egov.uscis.gov/cris/jsps/ptimes.jsp>
- Department of Labor processing times and information on backlogs: <http://www.foreignlaborcert.doleta.gov/times.cfm>
- Department of State Visa Bulletin: [http://travel.state.gov/visa/frvi/bulletin/bulletin\\_1360.html](http://travel.state.gov/visa/frvi/bulletin/bulletin_1360.html)

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## 14. Klasko News

### Partners Named As Top Lawyers in WHO'S WHO LEGAL

*The International Who's Who of Corporate Immigration Lawyers 2008* and *The International Who's Who of Business Lawyers 2009* selected partners **H. Ronald Klasko**, **Richard R. Rulon** and **William A. Stock** by research with clients and peers as being among the world's leading Corporate Immigration lawyers.

This recognition is a testament to the fact that their peers rank them at the highest level of professional excellence. Congratulations Ron, Rich, and Bill!

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### Upcoming Speaking Engagements



**H. Ronald Klasko** (Ron) will be a discussion leader at the National Association of College and University Attorneys (NACUA) Annual Conference in New York on June 24. Ron will lead the session "Undocumented Resident Aliens: Employment and Admission Issues" which will address ICE enforcement standards, social security no-match letters, E-Verify, state laws relating to immigration and the new I-9 form. For more information on this conference, visit <http://www.nacua.org/meetings/ac2008/home.html>.

NACUA



**Ron Klasko**, **Bill Stock**, **Suzanne Seltzer**, and **Elise Fialkowski** will all be presenting at the American Immigration Lawyers Association (AILA) Annual Conference in Vancouver, BC, Canada from June 25 – 28. **Ron** will lead a panel discussion entitled "Dealing with the Eternal Adjustment Applicant." **Bill** will serve as a panelist on "Driving Us Crazy – The Localization of Immigration Law: State and Local Regulations." **Suzanne** will be the lead faculty member of "Silver Into Gold: Transforming Your Case Into EB-1 or NIW" and **Elise** will serve as a panelist in "Show Me the Money: Financial Issues in Employment-Based Immigration." For more information on this conference or the panel sessions conducted by our partners, please contact them via e-mail.

The final part of the three-part national tele-seminar series "Options for the Wealthy Client" entitled "EB-5 Regional Centers" will be held on July 10. **Ron Klasko** will serve as discussion leader. This session will cover:

- Clients for whom regional center is best option
- Choosing between regional centers
- Legislative issues
  - Renewal of regional center pilot program
  - Pipeline cases
- Government perspective



To register for this seminar, visit <http://www.ilw.com/seminars/may2008.shtm>. Registration deadline is July 8.

**Elise Fialkowski** will be a guest speaker at Lehigh University on July 15 for a program hosted by the Global Village for Future Leaders of Business and Industry. The Global Village is a cross cultural program bringing together future leaders from over forty countries. Elise will lecture on U.S. immigration rules and regulations affecting students, scholars, employees, business people, and investors. For more information on this program or to request a copy of the handout materials, e-mail Elise at [efialkowski@klaskolaw.com](mailto:efialkowski@klaskolaw.com).

## Recent Speaking Engagements



Ron Klasko, Bill Stock and Suzanne Seltzer spoke at several educational programs at the NAFSA 2008 Annual Conference and Expo in Washington, D.C. from May 25 - 30. A list of topics and dates when our partners presented workshop and sessions can be found at <http://www.klaskolaw.com/events-calendar.php?action=view&id=91>. Our firm is proud to be NAFSA's first global advocate partner and to have a chance to play a role in educating universities and research institutions on key immigration developments.

Ron Klasko and Bill Stock presented part two of a three-part national tele-seminar series on E-2, L-1, and EB-5 Visas entitled "Options for the Wealthy Client," sponsored by [ILW.com](http://www.ilw.com). Part 2 of this series "EB-5 and E-2 Issues" was on June 12 and compared EB-5 and E-2, regional center and individual EB-5 investments, and covered EB-5 litigation issues. For more information on this seminar series, e-mail Ron or Bill at [rklasko@klaskolaw.com](mailto:rklasko@klaskolaw.com) or [wstock@klaskolaw.com](mailto:wstock@klaskolaw.com).

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## In the News and on the Airways



William A. Stock was interviewed on June 18 for an NBC 10 'Investigators' story on a local Philadelphia family who's adopted daughter, 16, can't become a U.S. citizen. The family attests the federal government is unjustly keeping their adopted daughter, who is not a citizen of any country, from becoming a U.S. citizen. Bill was asked to determine what possible options remain for the family to pursue. Click here for the full story of this family's plight: <http://www.nbc10.com/news/16648312/detail.html?dl=mainclick>.



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## Recent Publications



Richard R. Rulon's latest article, "Employers Take Notice – Worksite Enforcement is an 'ICE' Top Priority" was published in *The Legal Intelligencer* on June 17, 2008. In this article, Rich discusses the worksite enforcement actions ICE is undertaking and steps an employer can take to ensure to the extent possible that its employees are authorized to work. For more information on this topic or to request your copy of this publication, write to Rich at [rrulon@klaskolaw.com](mailto:rrulon@klaskolaw.com).

Another recent article by Rich Rulon and Theodore J. Murphy, "Employers of 'Essential' Workers: Worksite Enforcement – The Ice Man Cometh" is being published in connection with the American Immigration Lawyers Association (AILA) Occupational Handbook on Essential Workers. This article summarizes I-9 compliance and other employer obligations to protect against increasingly harsh penalties stemming from government worksite enforcement operations. E-mail Rich or Ted to request your copy at [rrulon@klaskolaw.com](mailto:rrulon@klaskolaw.com) or [tmurphy@klaskolaw.com](mailto:tmurphy@klaskolaw.com).

Ron Klasko's recently authored article, "The Eternal Adjustment Applicant" will be published in connection with the AILA Annual Conference later this month in its conference handbook. This publication addresses frequently asked questions regarding work, travel, status and portability issues for long-pending adjustment of status applicants. Contact Ron at [rklasko@klaskolaw.com](mailto:rklasko@klaskolaw.com) to request a copy of this article.