

MARCH 2008

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

Headlines:

- **1. KRSS Invites You to Attend Our Annual Spring Seminar – Sign Up Now!** Please join us for our annual spring seminar addressing the challenges of immigrant and nonimmigrant quotas, agency adjudication delays, and increased enforcement against employers.
- **2. Fines, Prosecutions for Hiring Undocumented Workers to Increase** – Increased employer fines are expected to take effect March 27, 2008, and will be assessed on a per-worker basis.
- **3. ICE Ramps Up Its Immigration Enforcement Activities** – The focus of ICE's immigration enforcement efforts is increasingly on corporations and corporate officers and managers.
- **4. New Rule Regarding H-1B Applications for FY 2009** – A new rule regarding multiple H-1B applications for the same employee, the lottery for the 65,000 visas, and the order in which applicants with master's degrees or higher will be selected has just been published by USCIS.
- **5. USCIS Announces Centralized Filing Location for H-1B Cap Exempt Petitioners at the CSC** – All cap-exempt petitions filed by institutions of higher education and nonprofit organizations or entities related to or affiliated with such institutions, and nonprofit research organizations or governmental research organizations are to be filed with the California Service Center.
- **6. Some Employment Visa Number Cut-Off Dates Will Advance in April** – The employment-based second preference category for India, which was "unavailable" in March, will have a December 1, 2003 cut-off date in April. There also will be some cut-off date movement in the employment-based third and Other Workers categories in April.
- **7. USCIS Issues Q&A on Application Delays, House Holds Hearing on Naturalization Delays** – USCIS has issued questions and answers on receipting and processing delays, along with some fee issues; the House of Representatives held a hearing on naturalization delays.
- **8. DOS Testifies on Status of Visa Policy for Foreign Students, Scholars, Exchange Visitors** – Deputy Assistant Secretary of State testified regarding the benefits foreign students and exchange visitors bring to the United States.
- **9. DHS Signs Visa Waiver Program Agreements with Slovakia, Hungary, and Lithuania** – DHS Secretary Chertoff signed a Memorandum of Understanding (MOU) on March 17 with Slovakia, Hungary, and Lithuania that put all three countries on track for potential designation as VWP countries later this year.
- **10. E-Verify Program Now Has More Than 52,000 Participants** – The E-Verify employment status verification program is growing by over 1,000 participants per week.

- **11. USCIS, DOL Issue Proposed Rules on H-2As** – New agency rules aim to prevent a sudden and dramatic decrease in the supply of agricultural workers poses severe economic consequences for growers.
- **12. New Publications and Items of Interest** – GAO: Visa Waiver Program: Limitations with Department of Homeland Security’s Plan to Verify Departure of Foreign Nationals
- **13. Klasko News** – Upcoming and recent speaking engagements, publications, and more.
- **14. Government Agency Links**

1. KRSS Invites You to Attend Our Annual Spring Seminar – Sign Up NOW!



Thursday, April 10, 2008

8:00 am - 8:30 am	Fundamentals Registration
8:30 am - 9:15 am	Fundamentals of Immigration Law
9:00 am - 9:30 am	Main Session Registration
9:30 am - 2:00 pm	Main Session and Luncheon

Please join us for our annual spring seminar addressing the challenges of immigrant and nonimmigrant quotas, agency adjudication delays, and increased enforcement against employers.

Union League of Philadelphia
140 S. Broad Street, Philadelphia

Topics of the main session will include:

- Legislative & Regulatory Update
Prospects for immigration legislation in 2008
- Worksite enforcement and employer best practices
- Quota backlogs and upgrading preference categories
- Travel, work, and other issues of the Eternal Adjustment Applicant
- Updates on PERM, H-1B, Mandamus lawsuits, and more.

Speakers:

H. Ronald Klasko, managing partner
Richard R. Rulon, partner
William A. Stock, partner
Suzanne B. Seltzer, partner
Elise A. Fialkowski, partner
Theodore J. Murphy, counsel



How To Register:



Online

[Click here](#) to register online.



By Fax

[Click here](#) to download the registration form and fax it to us at 215-825-8699.



By Email

[Click here](#) to register by email.



By Phone

Call 215-825-8600 to register by telephone.

Please RSVP by April 3, 2008

More Information:

[Click here](#) to view more information about this seminar.

www.klaskolaw.com

2. Fines, Prosecutions for Hiring Undocumented Workers to Increase

Secretary of Homeland Security Michael Chertoff and Attorney General Michael Mukasey announced on February 22, 2008, that the fines for hiring undocumented workers will increase and that the Departments of Homeland Security (DHS) and Justice (DOJ) also are working "to increase criminal prosecutions against the most egregious employer offenders." The increased fines are expected to take effect March 27, 2008, and will be assessed on a per-worker basis. For example, if an employer knowingly employs five undocumented workers, the employer could incur five fines. The minimum penalty for knowingly hiring an undocumented worker will increase from \$275 to \$375. The maximum fine for a first-time offender will increase from \$2,200 to \$3,200, and the maximum fine for repeated violations will increase from \$11,000 to \$16,000.

Secretary Chertoff's and Attorney General Mukasey's statements are available at http://www.dhs.gov/xnews/releases/pr_1203722713615.shtm. A related DHS and DOJ (Executive Office for Immigration Review) final rule was published in the Federal Register and is available at <http://a257.g.akamaitech.net/7/257/2422/01jan20081800/edocket.access.gpo.gov/2008/pdf/E8-3320.pdf>.

3. ICE Ramps Up Its Immigration Enforcement Activities

ICE is increasingly focusing its immigration enforcement initiatives on corporations that employ illegal aliens and their officers and managers. On February 28, 2008, five managers of IFCO Systems North America (IFCO) were indicted in federal court in Albany, New York. The indictment alleges the managers were involved in a conspiracy to harbor, encourage and transport illegal aliens within the United States. The charges carry a ten-year maximum term of imprisonment. Seven other managers of IFCO previously pled guilty to related charges and are awaiting sentencing. On March 3, 2008, in the U.S. District Court in Grand Rapids, Michigan, three senior executives of Rosenbaum-Cunningham International (RCI) were sentenced to imprisonment for 30, 51, and 120 months, respectively, for harboring illegal aliens and defrauding the government by evading tax payments over 15 million dollars. The ICE operations at IFCO and RCI were nationwide investigations. The IFCO worksite enforcement action was conducted at over 40 plants nationally and resulted in the arrest of nearly 1,200 illegal aliens. A disgruntled employee's call to ICE in February 2005 started the 15 month long investigation. RCI, a cleaning and grounds maintenance service company, had contracts with theme-restaurant chains and hospitality venues throughout the United States. The RCI operation involved arrests at 64 locations in 18 states.

Julie Myers, Assistant Secretary for Homeland Security, U.S. Immigration and Customs Enforcement, issued a statement on September 27, 2007, sounding a warning to corporate America: "Worksite enforcement actions target a key component of the illicit structure that enables illegal immigration to flourish. No employer, regardless of industry or location, is immune from complying with the nation's laws. ICE and our law enforcement partners will continue to bring all of our authorities to bear in this fight using criminal charges, asset seizures, administrative arrests and deportations."

Consistent with Ms. Myers' statement, ICE enforcement operations have been conducted in a number of states including Pennsylvania, Ohio, Oregon, Missouri, Massachusetts, Illinois, Maryland, Florida, Colorado, New York, and Kentucky.

4. New Rule Regarding H-1B Applications for FY 2009

For fiscal year 2009 (for employment beginning October 1, 2008), the first H-1B filing date is Tuesday, April 1, 2008. Petitions are to be filed at U.S. Citizenship and Immigration Services (USCIS) Vermont and California Service Centers, depending on jurisdiction.

According to a newly published USCIS rule, the agency will bar employers from filing multiple H-1B petitions for the same employee in order to ensure that “companies filing H-1B petitions subject to congressionally mandated numerical limits have an equal chance to employ an H-1B worker.” Any petitions found to be duplicative will be revoked and the filing fees kept by USCIS.

Also according to the new rule, there will be five days that the service centers will accept H-1B applications for the expected lottery for the 65,000 visas. Additionally, pursuant to the rule, USCIS has determined that it will first allocate the 20,000 visas specifically for master’s degree or higher cap applicants, and then will put the remaining applicants who did not receive one of those 20,000 master’s degree or higher H-1Bs into the general 65,000 lottery.

For more information regarding the new H-1B rule, see USCIS’s press release at http://www.uscis.gov/files/article/H-1B_multi_filing_19Mar08.pdf.

KRSS recommends the following tips for employers planning to file H-1B applications:

- Check filing fee amounts and submit fees in separate checks to avoid inadvertent errors.
- Answer all questions in the application and check answers for consistency. Original signatures are required. Blue ink makes it easy for USCIS to confirm an original.
- Send only one petition per envelope.
- USCIS uses the information in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, page 11) to determine whether a petition is subject to the 65,000 and 20,000 (U.S. master’s degree or higher) H-1B numerical limitation caps. Part C, #4 of the Supplement does not refer to all J exchange visitor nonimmigrants with a waiver of the two-year foreign residency rule. Do not check “yes” unless the worker is a doctor who has been granted a Conrad 30 waiver to work in a medically underserved area.
- Clearly label all H-1B cap cases in red ink in the top margin of the I-129 petition. Use the following codes:
 - Reg. Cap (65,000 regular cap cases minus the Chile/Singapore (C/S) cap cases received)
 - C/S Cap (Chile/Singapore H-1Bs)
 - U.S. Masters (20,000 cap exemption for beneficiaries with U.S. masters or higher degrees)
 - Exempt (for petitions filed by certain institutions of higher education; nonprofit organizations; and nonprofit research organizations or governmental research organizations, as defined in USCIS regulations)

Contact KRSS for details. For more filing tips from USCIS, see <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a?vgnextoid=d758ea468d6c7110VgnVCM1000004718190aRCRD&vgnnextchannel=91919c7755cb9010VgnVCM10000045f3d6a1RCRD> and http://www.uscis.gov/files/pressrelease/H1B_I129Info_032707.pdf.

5. USCIS Announces Centralized Filing Location for H-1B Cap Exempt Petitioners at the CSC

U.S. Citizenship and Immigration Services (USCIS) announced a centralized filing location at the California Service Center (CSC) for H-1B "cap exempt" petitioners, which include petitions filed by institutions of higher education and nonprofit organizations or entities related to or affiliated with such institutions, and nonprofit research organizations or governmental research organizations. The mailing addresses are:

For direct mail:

U.S. Citizenship and Immigration Services
California Service Center
Attn: CAP EXEMPT H-1B Processing Unit
P.O. BOX 30040
Laguna Niguel, CA 92607-3004

For non-U.S. Postal Service deliveries (e.g., private couriers):

U.S. Citizenship and Immigration Services
California Service Center
Attn: CAP EXEMPT H-1B Processing Unit
24000 Avila Road, Room 2312
Laguna Niguel, CA 92677

USCIS asks H-1B petitioners to mark the outside of the envelope and the top margin of the I-129 form with "EXEMPT." The agency said this will ensure quick identification of the H-1B filing throughout the petition's processing at the CSC.

According to USCIS, if a cap exempt H-1B petition is received at a different Service Center, that Service Center will "expeditiously forward the petition to the CSC for processing." In the near future, USCIS will post special filing instructions to Form I-129 requiring all qualifying H-1B cap exempt petitions to be filed at the CSC.

USCIS noted that the highest volume of H-1B filings occurs during the month of April. "This may result in longer than average receipting times or other interruptions in processing times," USCIS warned, adding that petitioners may file a qualifying H-1B cap exempt petition at any time of the year depending on the petitioner's need, but no earlier than six months ahead of the intended start date.

For more information, see http://www.uscis.gov/files/pressrelease/H-1B_Filing_30jan08.pdf.

6. Some Employment Visa Number Cut-Off Dates Will Advance in April

The Department of State's Visa Office announced some visa number cut-off date movement for April in several employment categories. The India employment-based second preference category, which was unavailable in March, will have a December 1, 2003 cut-off date in April. The employment-based third preference category will move to February 8, 2003 for China; October 1, 2003 for India and Mexico; and July 1, 2005 for the Philippines. The Other Workers category will advance to March 1, 2002. If an expected increase in number use materializes from U.S. Citizenship and Immigration Services processing, future cut-off date movements could slow or stop.

The March and April 2008 Visa Bulletins, which include a chart showing the cut-off dates in each category, are available at http://travel.state.gov/visa/frvi/bulletin/bulletin_3953.html and http://travel.state.gov/visa/frvi/bulletin/bulletin_4177.html, respectively.

7. USCIS Issues Q&A on Application Delays, House Holds Hearing on Naturalization Delays

U.S. Citizenship and Immigration Services (USCIS) has issued questions and answers on receipting and processing delays, along with some fee issues. The agency noted that because of a significant increase in the number of applications filed, average processing times for certain application types filed after June 1, 2007, may become longer. For example, immigrant petitions for relatives and workers now may take 9-10 months.

As of February 15, 2008, all receipting operations at USCIS Service Centers and the Chicago Lockbox are current, the agency said.

The questions and answers are posted at

<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=82b06a9fe c745110VgnVCM1000004718190aRCRD&vgnnextchannel=1958b0aaa86fa010VgnVCM10000045f3d6a1RCRD>.

The House of Representatives' Immigration Subcommittee held a hearing on naturalization delays on January 17, 2008. The hearing testimony is available at <http://judiciary.house.gov/oversight.aspx?ID=403>.

8. DOS Testifies on Status of Visa Policy for Foreign Students, Scholars, Exchange Visitors

Stephen "Tony" Edson, Deputy Assistant Secretary of State for Visa Service, testified on February 7, 2008, before the House of Representatives Research and Science Education Subcommittee. Among other things, he noted that foreign students contribute over \$13 billion annually to the U.S. economy. "Their work significantly boosts our academic and scientific research and their exposure to our culture and freedoms is a crucial public diplomacy success," he said. Mr. Edson noted that exchange visitor admissions have risen to record highs; in fiscal year (FY) 2007, the Department of State issued 343,946 J-1 visas--an 11 percent increase compared to the same period in FY 2006. He noted that 90 percent of posts have wait times of less than 30 days for student and business travelers.

The full text of Mr. Edson's testimony, which includes statistical tables by year, is available at http://democrats.science.house.gov/Media/File/Commdocs/hearings/2008/Research/08feb07Research/Edson_Testimony.pdf. The hearing testimony of all the witnesses is available at http://science.house.gov/publications/hearings_markup_details.aspx?NewsID=2064.

9. DHS Signs Visa Waiver Program Agreements with Slovakia, Hungary, and Lithuania

Homeland Security Secretary Chertoff signed, on March 17, 2008, Visa Waiver Program MOUs with Slovakia, Hungary, and Lithuania. The security enhancements outlined in the MOUs put all three countries on track for visa-free travel to the United States, and potential designation as VWP members later this year.

Congress authorized DHS in August 2007 to reform the VWP and to strengthen the security arrangements required of existing participant countries, as well as to expand the conditions for aspiring countries to join the program.

Among the security enhancements required, the Department of Homeland Security (DHS) will establish an electronic system of travel authorization for air passengers. VWP travelers will be asked to provide some basic information online that will generate an authorization number for travel. DHS will announce complete details on how the authorization systems will work, and when they will begin, later this year. VWP partners also must ensure reporting of lost and stolen passports to avoid fraudulent use and enhance security measures for airports that originate flights to the United States, to include permitting air marshals on certain flights.

The VWP has been authorized by U.S. law for over 20 years, with 27 current members from Asia and Europe. DHS has signed enhanced VWP agreements with the Czech Republic, Estonia, and Latvia in recent weeks. Each country committed to meeting the new requirements of the program including an electronic system of travel authorization.

10. E-Verify Program Now Has More Than 52,000 Participants

U.S. Citizenship and Immigration Services (USCIS) announced that the E-Verify employment status verification program now has more than 52,000 employer participants, and that the program has been growing by approximately 1,000 participants per week since October. USCIS is recruiting new personnel for the first regional verification center in Buffalo, New York.

USCIS noted that participation in E-Verify remains voluntary, but that some states have begun requiring their employers to comply with a federal work authorization verification program. Arizona, for example, increased participation of its employers in E-Verify from 325 a year ago to more than 18,000 today. This is only a small portion, however, of all Arizona employers especially when one considers that the Arizona statute required all employers to sign up by January 1, 2008. While the Arizona statute does not include a penalty for failure to sign up (since the state's statute could not override the federal voluntariness of the program), the statute does contain penalties (such as the loss of business licenses) for either knowingly or intentionally hiring unauthorized workers. Under the statute, those employers who sign up are afforded a rebuttable presumption that they did not knowingly hire an illegal alien. Even employers who have not signed up, however, have an affirmative

defense that they did not knowingly or intentionally hire an unauthorized worker if they have complied in good faith with I-9 verification requirements.

Meanwhile, Illinois has delayed until April 15, 2008, implementation of a new law that would prohibit employers from participating in E-Verify until federal agency databases are able to resolve 99 percent of discrepancies within three days. The Illinois legislature is considering several bills that would amend the law.

USCIS's announcement is available at <http://www.uscis.gov/files/pressrelease/everify12022008.pdf>.

11. USCIS, DOL Issue Proposed Rules on H-2As

U.S. Citizenship and Immigration Services (USCIS) and the Department of Labor (DOL) both issued proposed rules in February 2008 affecting the H-2A nonimmigrant visa program, which allows U.S. employers to bring foreign nationals to the United States for temporary or seasonal agricultural work.

USCIS said its proposed rule is designed to "remove unnecessary limitations on H-2A employers while preventing fraud and abuse, and protecting the rights of temporary workers." The rule proposes, among other things, to "relax the current limitations on the ability of U.S. employers to petition unnamed agricultural workers to come to the United States and include multiple beneficiaries who are outside the United States on one petition."

Some of the key modifications include:

- Extending from 10 to 30 days the time a temporary agricultural worker may remain in the United States following the expiration of the H-2A petition;
- Reducing from six months to three months the time an H-2A worker must wait outside the United States before becoming eligible to re-obtain H-2A status;
- Allowing H-2A workers who are changing from one H-2A employer to another to begin work with the new petitioning employer upon the filing of a new H-2A petition, provided the new employer participates in USCIS's E-Verify program;
- Requiring an employer attestation regarding the scope of the H-2A employment and the use of recruiters to locate H-2A workers;
- Cracking down on employers and recruiters who impose fees on prospective H-2A workers;
- Requiring an approved temporary labor certification in connection with all H-2A petitions;
- Prohibiting the approval of H-2A petitions for nationals of countries determined to be consistently refusing or unreasonably delaying repatriation of their nationals; and
- Establishing a land-border exit system pilot program, which ensures that foreign workers admitted through a port-of-entry participating in the H-2A program, must depart through a similar port that also participates in the program. U.S. Customs and Border Protection will publish a Notice in the Federal Register designating which temporary workers must participate in the program, which ports-of-entry are participating in the program, which biographical and/or biometric information would be required, and the format for submission.

Meanwhile, DOL issued a proposed rule on temporary labor certifications for H-2A workers. The proposed measures focus on an attestation-based application process after an employer conducts pre-filing recruitment and eliminating "duplicative activities" currently performed by State Workforce Agencies (SWAs). In concert with these changes, DOL proposes to amend the wage and hour regulations to provide for enhanced enforcement, including more rigorous penalties, under the H-2A program.

USCIS and DOL will accept public comments until March 31. The full text of USCIS's notice of proposed rulemaking is available at

<http://a257.g.akamaitech.net/7/257/2422/01jan20081800/edocket.access.gpo.gov/2008/pdf/E8-2532.pdf>.

The DOL's proposed rule is available at http://www.foreignlaborcert.doleta.gov/pdf/H2A_NPRM.pdf.

12. New Publications and Items of Interest

GAO: Visa Waiver Program: Limitations with Department of Homeland Security's Plan to Verify Departure of Foreign Nationals.

This report presents U.S. Government Accountability Office testimony concerning a required action under legislation passed in August 2007 providing the Department of Homeland Security (DHS) with the authority to expand the Visa Waiver Program to additional countries whose nationals' applications for short-term business and tourism visas were refused between 3 and 10 percent of the time in the previous fiscal year. Countries must meet certain conditions, and the DHS must first complete and certify a number of required actions. This report focuses on the requirement that an "air exit system" be in place that can verify the departure of 97 percent of foreign nationals who depart through U.S. airports. The DHS told the GAO in December 2007 that it will match records of foreign nationals departing the country, as reported by airlines, to the agency's existing records of any prior arrivals, immigration status changes, or prior departures from the United States. Using this formula, DHS stated that it can attain a match rate above 97 percent, based on August 2007 data, to certify compliance with the legislative air exit system requirement. The DHS told the GAO that it believes this methodology would meet the statutory requirement. On February 21, 2008, the DHS said that it had not finalized its decision on the methodology the agency would use to certify compliance but confirmed that the basic structure of its methodology would not change, and that it would use departure records as the starting point.

The GAO noted several limitations with this methodology. For example, it does not begin with arrival records and determine whether the foreign nationals stayed in the United States beyond their authorized periods of admission (referred to as overstays), and therefore does not show overall and country-specific overstay rates, which the GAO said are key factors in determining the risks of undocumented immigration under the Visa Waiver Program. In addition, the GAO noted that the DHS's current methodology does not address the accuracy of airlines' transmissions of departure records, and DHS acknowledges that there are weaknesses in the departure data. For example, there may be some visitors who did not leave the country by air even though they were recorded on airlines' manifest data as having departed. The inability of the U.S. government to track the status of visitors in the country, to identify those who overstay their authorized period, and to use this data to compute overstay rates have been longstanding weaknesses in the oversight of the Visa Waiver Program. The GAO concluded that the DHS's plan to meet the "97 percent" requirement in the Visa Waiver Program expansion legislation will not address these weaknesses.

The GAO report is available at <http://www.gao.gov/new.items/d08458t.pdf>.

13. Klasko News

Upcoming Speaking Engagements

Elise A. Fialkowski and **Theodore J. Murphy** (Ted) will be speaking at a Delaware Valley Chapter of the Association of Corporate Counsel ("DELVACCA") seminar on March 27, 2008. Their presentation will cover the numerous developments in the area of worksite enforcement as well as recent developments with regard to employment-based visas. If you would like more information regarding this presentation or to find out how to arrange an on-site program at your organization, write to Elise at efialkowski@klaskolaw.com.

William A. Stock (Bill) will be a guest speaker at a breakfast roundtable for the Philadelphia Area International Educators Network on March 28. Bill will address prevailing wage challenges in the H-1B process. For more information on this talk, e-mail Bill at wstock@klaskolaw.com.

Recent Speaking Engagements



H. Ronald Klasko (Ron) continues to speak extensively at universities and hospitals. Ron spoke at Tenet/Hahnemann University Hospital on February 26, 2008, to clinical doctors about current issues in H-1B, J-1, and O-1 visas. On March 10, Ron discussed immigration options for students and scholars at Temple University in Philadelphia. Ron then spoke at Abington Hospital on March 13, and visited with students and researchers at Lehigh University on March 18. The PowerPoint presentation and relevant articles used for Lehigh University is now available on our website, www.klaskolaw.com, at <http://www.klaskolaw.com/events-calendar.php?action=view&id=89>.

If you would like more information on any of these talks or to find out how to arrange an on-site program at your organization, write to Ron at rklasko@klaskolaw.com.

Suzanne B. Seltzer served as moderator of the three-part seminar series "J Waivers In-Depth," sponsored by [ILW.com](http://www.ilw.com). The first session was on January 17, and was entitled "What is 212(e)?" Part two on February 21 called "Clinician Specific Waivers" followed. "Waiver Options for Everyone," the final part of this series, was on March 6. Topics were as follows:

- Overview of Waiver Procedures
- "No Objection" Statement Waivers
- Hardship/Persecution Waivers
- Interested Government Agency Waivers
- Options if No Waiver?

For more information on this series, e-mail Suzanne at sseltzer@klaskolaw.com.



William A. Stock (Bill) served as a faculty member at the American Immigration Lawyers Association (AILA) 2008 Spring Fundamentals of Immigration Law Conference in Anaheim, CA, from March 10-11. For detailed information or to download conference materials, visit AILA's website at <http://www.aila.org/content/default.aspx?docid=24140>. Bill and KRSS counsel, **Theodore J. Murphy** (Ted), also spoke at the AILA 2008 Philadelphia Chapter CLE Conference entitled "Leap into Litigation: Practice Skills and Recent Updates in Immigration Litigation" on March 14. Bill and Ted discussed the possibility of filing mandamus lawsuits to remedy government delays. For more information on the litigation option, write to Ted at tmurphy@klaskolaw.com.

Recent Publications



William A. Stock's (Bill) latest article, "The Last and Greatest Weapon: Documenting Business Necessity in Labor Certifications" was published in *Bender's Immigration Bulletin* on March 5, 2008. In this article, Bill addressed an issue of increasing importance to Department of Labor--namely, the documentation needed whenever an employer requires more than the minimum credentials necessary to start an occupation. For more information on this topic or to request your copy of this publication, write to Bill at wstock@klaskolaw.com.

14. 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

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