



## Border to Border

Ryan, Swanson & Cleveland, PLLC's  
Immigration Law Update Newsletter



The Ryan, Swanson & Cleveland Seattle Immigration Group is committed to providing excellent service and efficient communication to our clients.

September 3, 2009

### 7 September Immigration Updates

There is much to report this month on important immigration issues that could affect your business. Here are 7 updates you should be aware of.

1. Specialty workers for positions that require an undergraduate degree or equivalent in work experience, ("H-1B") still can be hired. As of August 14, 2009, the USCIS had received approximately 45,000 petitions out of the 60,000 possible visas.
2. Seasonal workers, ("H-2B"), still can be hired for this winter. As of August 6, 2009, USCIS announced the reopening of fiscal year 2009 H-2B filing period and immediately began accepting petitions. Up to that date, USCIS had received 8,974 petitions for the first half of fiscal year 2009.
3. Intra-company transfers of executives, managers or specialized knowledge employees, ("L-1"), are under greater scrutiny by immigration. The USCIS is sending out requests for further evidence that are burdensome and expensive.
4. TN applications under NAFTA are being cautiously reviewed by the USCBP officers at the Ports of Entry. USCBP is also reviewing old approvals for the purpose of revoking them.
5. If the U.S. business is majority owned by Canadians then Canadians who are executives, managers and essential workers can apply for an E Visa as an investor or employee of an investor at the U.S. Consulate in Vancouver, B.C. The Consulate is currently taking 10 to 12 weeks to process. The cost decreases once the company is registered as an E company.
6. The new Obama administration is concentrating currently on E Verify and Form I-9 audits. Based on a recent court case, as of September 8, 2009, E-Verify will be required for all Federal contractors. Comprehensive Immigration Reform, in whatever form, will not be until 2010, if ever.
7. Permanent residency visas are still backlogged and will be for years. This means developing a plan of action to keep the employee in status in the U.S. until a permanent visa can become available is necessary.

### USCIS Update

#### Expiration Date of Employment Eligibility Verification Form I-9 Extended to Aug. 31, 2012

U.S. Citizenship and Immigration Services (USCIS) announced today that the Office of Management and Budget has extended its approval of Form I-9 (Employment Eligibility Verification) to Aug. 31, 2012. Consequently, USCIS has amended the form to reflect a new revision date of Aug. 7, 2009.

Employers may use the Form I-9 with the revision date of either Aug. 7, 2009 or Feb. 2, 2009. The revision dates are located on the bottom right-hand portion of the form.

For more information on USCIS and its programs, or to obtain Form I-9 and the [Handbook for Employers](#), visit [www.uscis.gov/i-9](http://www.uscis.gov/i-9). Employers who do not have computer access can order the Form I-9 by calling our toll-free forms line at (800) 870-3676.

USCIS forms and information on immigration laws, regulations, and procedures can also be requested by calling the National Customer Service Center toll-free at (800) 375-5283.

### Immigration Group News and Events

This August, our group coordinator, Jenny Batenhorst was married in Seattle. Earlier in the summer, she and her fiancé were lucky enough to get traditional wedding portraits done in Okinawa, Japan where her parents are currently living. Jennifer Keller (now Jempson) in client accounts was also married this summer. Congratulations to them both!

Joel Paget recently returned from a sun filled vacation to France and Greece. If you have any travel questions about Europe, be sure to give Joel a call!

One of our paralegals, Brenda Ferderer, was lucky enough to enjoy a trip to Skarmøy, Norway and London, England. She would also be a wealth of knowledge for anyone visiting Europe.

Rachel Huneryager just returned from a backpacking trip in Fairbanks, Alaska with her husband. We are looking forward to pictures and stories of her encounters with the local wildlife.