



Border to Border

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



September 10, 2009

Federal Contractors Required to Use E-Verify Beginning September 8, 2009

Effective September 8, federal contractors and subcontractors will be required to use the E-Verify system to verify their employees' eligibility to work in the United States.

E-Verify, which compares information from the Employment Eligibility Verification Form ([I-9](#)) against federal government databases to verify workers' employment eligibility, is a free web-based system operated by DHS in partnership with the Social Security Administration (SSA). The system facilitates compliance with federal immigration laws and helps to deter unauthorized individuals from attempting to work and also helps employers avoid employing unauthorized aliens.

The E-Verify [federal contractor rule](#) extends use of the E-Verify system to covered federal contractors and subcontractors, including those who receive American Recovery and Reinvestment Act funds. Applicable federal contracts awarded and solicitations issued after September 8 will include a clause committing government contractors to use E-Verify.

Companies awarded a contract with the E-Verify clause after September 8 will be required to enroll in E-Verify within 30 days of the contract award date. E-Verify must be used to confirm that all new hires, whether employed on a federal contract or not, and existing employees directly working on these contracts are legally authorized to work in the United States.

More than 145,000 participating employers at nearly 550,000 worksites nationwide currently use E-Verify to electronically verify their workers' employment eligibility. Since October 1, 2008, more than 7.6 million employment verification queries have been run through the system and approximately 97 percent of all queries are now automatically confirmed as work-authorized within 24 hours or less.

More information on the program is available on the E-Verify Web site at www.dhs.gov/e-verify. E-Verify customer support is also available by calling toll free (888) 464-4218.

October Visa Bulletin Released Today

For the employment-based petitions, visa number availability seems to be moving backwards. For EB-3 China, visa numbers are available with priority dates of February 22, 2002 or earlier. Likewise, for EB-3 India, the cutoff date is April 15, 2001. For those born in other countries excluding Mexico, the cutoff date is June 1, 2002. For EB-2 China, visas are available for priority dates March 22, 2005 and earlier. For EB-2 India, the cutoff date is January 22, 2005. For all other EB-2 cases, visa numbers are currently available. EB-1 remains current for all. Things are more optimistic for family-based petitions which have moved up one or more months in each category.

Ryan Swanson's Employment Law Seminar Still Accepting RSVPs

It's not too late to register for Ryan Swanson's annual Winds of Change Employment Law Seminar. The seminar is next Wednesday, September 16 from 8:30-11:30am at the Harbor Club in Seattle. [Click here](#) for more details.

Please contact us if you have any questions:

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