



## **Minsky, McCormick & Hallagan, P.C.**

*A Full-Service Law Firm Dedicated To All Aspects of U.S. Immigration & Nationality Law*

**October 2009**

**Volume 1, No. 1**

# **NEWSLETTER**

### **1.) U.S. Citizenship and Immigration Services Conducting Unannounced Employer Site Visits to Review H-1B Filings**

The U.S. Citizenship and Immigration Services' (USCIS) Office of Fraud Detection and National Security (FDNS) recently commenced a new fraud initiative focused on the H-1B nonimmigrant program. As part of their immigration benefits fraud detection function, FDNS officers assigned to the Administrative Site Visit and Verification Program (ASVVP) are seeking to verify the existence of the Petitioner and Beneficiary's employment relationship, as stated in a particular pending or most recently approved, H-1B petition. These unannounced site visits may be expanded in the future to include employers' L-1 petitions. Please contact your designated MMH Attorney to discuss how to properly respond if your company is selected for a surprise H-1B site visit or if your worksite is visited by an ASVVP Site Investigator.

### **2.) U.S. Department Of State Announces DV-2011 Diversity Visa Lottery Period From 10/02/09 – 11/30/09**

On September 29, 2009, The U.S. Department of State announced the opening of the registration period for the DV-2011 Diversity Visa lottery. The DV-2011 Diversity Visa Lottery program will be accepting applications between noon, Eastern Daylight Time (EDT) (GMT-4), Friday, October 2, 2009, and noon, Eastern Standard Time (EST)(GMT-5), Monday, November 30, 2009. Applicants may access the electronic Diversity Visa entry form (E-DV) at [www.dvlottery.state.gov](http://www.dvlottery.state.gov) during the registration period. If you are interested in applying for the DV-2011 Diversity Visa lottery, please contact an MMH Attorney for a legal consultation.

### **3.) September 2009 - USCIS Update On H-1B Numbers Availability**

As of September 25, 2009, approximately 46,700 H-1B cap-subject petitions have been filed with the U.S. Citizenship and Immigration Services (USCIS), according to the agency's most recent public announcement. If you are interested in applying for an H-1B nonimmigrant visa for a new or current employee, please contact an MMH Attorney.

### **4.) U.S. Department Of Homeland Security Rescinds SSA "Safe Harbor Procedures"**

On October 7, 2009, the U.S. Department of Homeland Security issued a Final Rule in the Federal Register to rescind 2007 regulations which provided "*Safe-Harbor Procedures*" to employers that received a Social Security Administration "No Match Letter" regarding an employee. The rescission of the "*Safe Harbor Procedures*" will be effective on November 6, 2009.

This MMH Newsletter has been created to provide you with information on the most recent and relevant developments in U.S. immigration-related law, regulations and policy. An MMH Newsletter is never a substitute for fact specific immigration related legal analysis and guidance. If you have any questions about this MMH Newsletter and how the information provided might affect your specific circumstances, please contact an MMH Immigration Attorney at [www.mmhpc.com](http://www.mmhpc.com) or (312) 427-6163. If you wish to unsubscribe from this Newsletter, please respond to this e-mail with the subject line "Unsubscribe".

**Minsky, McCormick & Hallagan, P.C.**

210 S. Clark Street, Suite 2025

Chicago, Illinois 60603

Tel: 312-427-6163 Fax: 312-427-6513

[www.mmhpc.com](http://www.mmhpc.com)