



Minsky, McCormick & Hallagan, P.C.

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

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NEWSLETTER

1.) Fiscal Year 2010 H-1B Cap Will Be Reached Soon

U.S. Citizenship and Immigration Services (USCIS) indicates it is very close to reaching the H-1B cap for Fiscal Year (FY) 2010. As of December 15, 2009, approximately 64,200 H-1B cap-subject petitions have been filed. USCIS continues to accept H-1B petitions, however, time is running out and the cap is likely to be reached soon. If your company is interested in filing an H-1B petition for a new employee, please contact your designated MMH attorney immediately.

2.) A New Centralized Department of Labor Prevailing Wage Process Will Launch on January 1, 2010

Beginning on January 1, 2010, all prevailing wage requests will be submitted by mail directly to the new National Prevailing Wage and Helpdesk Center (NPWHC) located in Washington, D.C. rather than to the individual State Workforce Agencies (SWAs). This new centralized process may extend the processing time for prevailing wage requests and correspondingly, the pre-recruitment activities necessary to initiate the PERM labor certification process. The NPWHC has indicated they are unable to determine how long it will take to process prevailing wage requests under the new centralized program set to begin on January 1, 2010. Until the new program begins, the State Workforce Agencies will continue to receive and process all prevailing wage requests. Contact your designated MMH Attorney to discuss if the timing of your company's PERM processes should be modified in light of the new centralized prevailing wage process.

3.) U.S. Customs & Border Protection Responds to False H1N1 Vaccination Requirement Rumor

On December 8, 2009, U.S. Customs & Border Protection (CBP) addressed rumors regarding U.S. entry requirements and the H1N1 virus. Travelers do not need to present proof that they received the H1N1 flu vaccine in order to enter the United States. No such vaccination requirement exists.

4.) January 2010 Visa Bulletin Released

The U.S. Department of State issued the January 2010 Visa Bulletin. The EB-3 Preference Category priority date for Indian nationals advanced to June 22, 2001. http://travel.state.gov/visa/frvi/bulletin/bulletin_4597.html

5.) Comprehensive Immigration Reform Bill Introduced

On December 15, 2009, the Comprehensive Immigration Reform for America's Security and Prosperity (CIR ASAP) Act of 2009 was introduced in the House of Representatives. The bill includes provisions dealing with immigrant and nonimmigrant visa programs, employment eligibility verification, and legalization of the currently undocumented population.

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 or (312) 427-6163. If you wish to unsubscribe from this Newsletter, please respond to this e-mail with the subject line "Unsubscribe".

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