

March 19, 2013

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Immigration Law Update

Current Developments in Immigration

Dear Julie,

This is the latest installment in our efforts to keep you apprised of the rapidly changing U.S. immigration environment. Some of the most recent changes could have a serious impact on you or your employees, and we urge you to communicate these changes to interested parties.

Act Now to File H-1B Cap Cases with USCIS on April 1, 2013

USCIS announced this week, that it will not begin premium processing of H-1B Cap Subject petitions, until April 15, 2013, an indication that the 85,000 H-1Bs available next fiscal year are expected to go quickly. USCIS is openly predicting that all H-1Bs may be claimed as early as April 5, 2013. USCIS will begin to accept H-1B petitions for fiscal year 2014 starting April 1, 2013, for start dates of October 1, 2013 or later. H-1Bs are available on a fiscal year basis with an annual limit of 65,000 with 20,000 extra H-1Bs available to individuals who have U.S. Master's degrees. Employers with new hires who are impacted by the H-1B cap count are urged to contact Rosner, Ortman and Moss Partners, LLC immediately to begin H-1B petition preparation.

Attention HR Managers: New I-9 Form

On March 8, 2013, USCIS issued a new Form I-9. Although employers should begin using the new form right away, older forms dated 02/02/09 and 08/07/09 will be accepted until May 7, 2013. After May 7, 2013, employers must use the newest version to verify the identity and employment authorization of individuals hired for employment in the United States. The most notable changes to the I-9 form include more detailed instructions, and the creation of two additional fields for an employee's e-mail address and telephone number. Employers are advised to carefully review the new I-9 instructions as well as the revised M-274, Handbook for Employers before implementing the new I-9. Rosner, Ortman and Moss Partners, LLC is available to address any concerns regarding this new Form I-9 and urges employers with questions to contact our office.

April 2013 Visa Bulletin

Employment-Based	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
1st	C	C	C	C	C
2nd	C	01APR08	01SEP04	C	C
3rd	01JUL07	22APR07	08DEC02	01JUL07	08SEP06
Other Workers	01JUL07	01AUG03	08DEC02	01JUL07	08SEP06
4th	C	C	C	C	C
Certain Religious Workers	C	C	C	C	C

Reauthorization of VAWA

On March 7, 2013 the Violence Against Women Act (VAWA) was reauthorized, extending vital immigration protection to victims of domestic abuse and sexual assault. VAWA allows victims to file for certain immigration benefits independently and without the abuser's knowledge. VAWA reauthorization expands coverage to victims of violence in same-sex relationships, as well as extends coverage to victims of Native American tribal lands.

For additional information about any of the topics presented here, please contact us. If you would prefer not to receive future e-mails of this nature, please unsubscribe on the link below.

Sincerely,

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