

Immigration Law Alert

April 2006

Time to File H-1B Petitions

Dear Clients and Friends—Time to tee up your H-1B petitions! As you know, current U.S. immigration law permits only 65,000 new regular H-B visas to be issued per calendar year. Last year the government “ran out” of H-1B visas as of August 7, 2005, almost two months before the fiscal year began.

As of April 1, 2006, employers may begin to file new H-1B petitions for the next fiscal year, which begins on October 1, 2006. In order ensure that you obtain the H-1b visas you need, **we strongly recommend that employers file their H-B petitions as soon as possible.** This is of particular importance to employers of students in practical training status. Regardless of the fact that their Employment Authorization Card may be valid until mid-2007, they will not be able to continue working unless an H-1B petition has been filed on their behalf while there are still numbers available. We are anticipating that the government may “hit the cap” and use up all H-1B visas in June 2006. Therefore, please file as soon as possible!

Let's Change That!

Congress is now debating changes to the U.S. immigration laws, some of which will be very beneficial to employers. We urge you to call your U.S. senators and congressional representatives to urge them to vote in favor of comprehensive reform (either the McCain/Kennedy Bill or the Spector Bill). The telephone number for the Capitol switchboard is (202) 225-3121—just ask to speak to your senator or representative.

Change in Filing Locations

Effective April 1, 2006, the U.S. Department of Homeland Security/Citizenship and Immigration Service (USCIS) has changed the location where both nonimmigrant (temporary) and immigrant (permanent) work-related petitions should be filed. *All* nonimmigrant petitions will now be filed with the USCIS Service Center in Vermont. All immigrant petitions will be filed with the USCIS Service Center in Nebraska.

Please let us know if we can answer any questions!

Gabrielle M. Buckley
Vedder, Price, Kaufman & Kammholz, P.C.
222 North LaSalle Street
Chicago, Illinois 60601
Telephone: 312/609-7626
E-mail: gbuckley@vedderprice.com

P. Michelle Jacobson
Vedder, Price, Kaufman & Kammholz, P.C.
222 North LaSalle Street
Chicago, Illinois 60601
Telephone: 312/609-7761
E-mail: mjacobson@vedderprice.com

The *Immigration Law Alert* is published by the law firm of Vedder, Price, Kaufman & Kammholz, P.C. It is intended to keep our clients and interested parties generally informed on developments in the business immigration industry. It is not a substitute for professional advice.

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About Vedder Price

Vedder, Price, Kaufman & Kammholz, P.C. is a national, full-service law firm with approximately 225 attorneys in Chicago, New York City and New Jersey.

The Vedder Price Business Immigration Group

U.S. companies—whether large or small—increasingly hire employees from around the globe. The search for talent within industries such as financial services, biomedical, high tech, pharmaceutical, automotive, engineering and other key sectors of the U.S. economy is relentless in its intensity. In response to the needs of companies to manage their internationally mobile workforce, the law firm of Vedder Price has created a Business Immigration Practice Group, designed specifically to serve the immigration law and compliance needs of companies throughout the country. In addition, the firm provides counsel and assistance with respect to all types of employment-related immigrant and nonimmigrant visa categories.

Specific services include:

- Determining and applying for the most appropriate visa categories for individuals who intend to stay temporarily in the United States for employment or other business-related reasons.
- Preparation and processing of permanent resident visas for executives and other professional employees.
- Due diligence regarding immigration law issues in corporate mergers, acquisitions, divestitures and other forms of corporate reorganization.
- Counseling employers regarding compliance with immigration laws (IRCA) in order to avoid civil and criminal penalties.
- Assisting in processing visa applications and resolving other State Department matters in U.S. Embassies and Consulates around the world.
- Assisting employers with their non-U.S. immigration needs through our network of attorneys licensed in other countries.

Business Immigration Group Chair:

Gabrielle M. Buckley (312/609-7626)

Chicago

222 North LaSalle Street
Chicago, Illinois 60601
312/609-7500
Fax: 312/609-5005
Robert J. Stucker

New York

805 Third Avenue
New York, New York 10022
212/407-7700
Fax: 212/407-7799
Neal I. Korval

New Jersey

Five Becker Farm Road
Roseland, New Jersey 07068
973/597-1100
Fax: 973/597-9607
John E. Bradley