Greenberg Traurig

Immigration Observer

April 2006

IN THIS ISSUE:

Tensions Over Proposed Immigration Bills Builds Throughout the Nation: What is the Temporary Worker Program and Why is Everyone Talking About It?

Immigration reform is a very hot and controversial topic these days. Everyone seems to have an opinion and everyone seems to think their opinion is right. In the first two months of 2006, forty-two states introduced 368 bills on immigrant policy issues, focusing on employment, expanding law enforcement, and verification of identity issues. During the last week of March, rallies were held all over the country including Milwaukee, Phoenix, Detroit, Washington, D.C. and Reno in support of immigrant rights. An astounding 500,000 people gathered in downtown Los Angeles on March 25, 2006 to voice their opposition to proposed federal legislation that would make it a felony to be in the United States illegally, impose new penalties upon employers who hire illegal immigrants and begin a program for building a fence between the U.S.-Mexico border. In response, counter-rallies, minutemen demonstrations and press conferences have been in abundance. Even the Catholic Church has gotten involved, saying that they will continue to help immigrants in need, even if it is made a felony.

The terms amnesty, guest, essential and temporary worker have been thrown around by proponents and opponents alike. GT attorneys have been intimately involved in support of a temporary worker program, building it from the ground up. GT supports a temporary worker program and believes that it must be a component of any comprehensive immigration reform piece of legislation. GT commends the Senate Judiciary Committee for passing a bill and applauds Chairman Specter (R-PA) for his leadership. To follow, please find an in depth analysis of the temporary worker program that was reported out of the Judiciary Committee on March 27, 2006.

The Basics

Title IV creates a new visa category for "temporary workers." This program would allow foreign workers to enter the U.S. to fill available jobs where no U.S. workers could be found. The temporary worker visa would be portable meaning that it would not be employer specific and would allow the holder to change employment without applying for new documentation. Applicants would have to satisfy four requirements to obtain the temporary worker visa:

- show that they intend to perform labor or service required for the occupation;
- have an offer of employment from a US employer;
- pay a $500 application fee themselves in addition to the cost of processing and adjudicating the application; and
- undergo a medical examination.

Applicants would also be required to file an application that includes disclosure of

information on their physical and mental health, criminal history and gang membership, immigration history, and any affiliations with groups wishing to overthrow the U.S. Any negative information would render them inadmissible.

The temporary worker visa would be valid for three (3) years with a one time extension for an additional three (3) year period for a total of six (6) years. However, during this six (6) year period the applicant would not be able to change their status in the United States. This visa would ensure that temporary workers remain in the country only for the purposes of employment and after sixty (60) days of consecutive unemployment, the visa would be automatically cancelled and the temporary worker would be required to return to their home country. The visa also aims to deter aliens from remaining in the country illegally by creating an automatic bar to any immigration benefit if the alien fails to depart within ten (10) days of the expiration of their visa. Additionally, similar to the other existing visa categories, the program creates derivative visas for accompanying non-work authorized family members for an additional $500 application fee. The visa also permits the worker to travel abroad and reenter. The temporary worker program would allow aliens to apply for self-sponsorship after four (4) years or allow their employer to sponsor them for permanent residence after one (1) year in the temporary worker visa status.

Employer Obligations

The temporary worker program also offers a variety of protections to U.S. workers, including a requirement that sponsoring employers pay a minimum, prevailing wage. To begin the visa application process, employers would file petitions with the Department of Labor (DOL) and Department of Homeland Security (DHS) and pay appropriate fees. The DOL attestation would include: the prevailing wage, proof of the U.S. employer's efforts to recruit U.S. workers for the position, proof that the reason the U.S. employer is looking for employees from abroad is not because there is a strike or layoff and that the temporary workers will work in normal working conditions and verification that the employer will provide the temporary worker with insurance if the alien is not covered by the state's worker's compensation law.

DETERMINING THE NUMBER OF TEMPORARY WORKER VISAS

Currently, the temporary worker program provides for an annual cap with an escalator allowing increased numbers based on market conditions. The first fiscal year there would be a 400,000 cap. The program specifically allocates 50,000 out of the 400,000 visas allocated each year to rural counties in need of temporary workers due to increased migration.

GT supports the temporary worker program and is working closely with business leaders and legislators on Capitol Hill to establish a temporary worker program that addresses current economic needs and respects the principals of fundamental fairness and family unification. We urge those in support of a temporary worker program to write or call their Congressional Representatives and Senators to voice their support.

Global Immigration: Traveling with the Right Visa

Things for Companies to Consider: Thinking ahead… or at least trying to

As immigration attorneys, we often find ourselves expediting visas for clients whose employees are expected to travel "tomorrow at the latest." With increased focus on security concerns worldwide, it is important to realize that tourists are not the only ones who need to think ahead; companies need to understand that strategic planning is imperative, if they want their employee to travel with the correct visa and reach their destination as quickly as possible. In today's world we have seen not only foreign consular officials scrutinizing application forms and supporting documentation with more focus, but processing times taking longer. Greenberg Traurig's (GT) Global Outbound Immigration Group is in constant contact with embassies and consulates around the world to update the requirements, steps and processing time-frames for visa applications. Often, we will be able to process complete visa applications in a few days but it is important to remember that each country is different, for this reason planning and managing expectations is critical.

Passport Compliance

U.S. citizens and permanent residents traveling abroad must ensure that their passports are in compliance with foreign country requirements prior to their departures from the United States. Most countries do not admit individuals and consulates will not stamp passports that have less than six (6) months left until their date of expiration. GT provides our clients assistance in obtaining new and renewed passports for companies and their employees. GT advises that all of our clients travel with a valid passport internationally to avail themselves of the tracking procedures and protection of the U.S. Department of State in emergency situations abroad. Additionally, various countries including the United States have implemented regulations concerning the use of machine readable passports upon entry, without which travelers will have to obtain an entry visa for the intended destination.

Carefully complete, review and sign

While the processing time may seem to be the number one priority, we strongly recommend that every step of the process be carefully considered as this will likely guarantee an easier filing process. From completing and reviewing every question on our questionnaire, to taking the right pictures, to timely providing the necessary documents, including an accurate description of the trip's purpose in full detail is essential. This will provide foreign consular officials the necessary documentation and confidence to – in most cases – issue the necessary travel visa and if requested a work permit. During GT's review and analysis, we determine which visa is the most appropriate and whether the activities to be performed in the foreign country should be categorized as a "business trip" or "work." There are significant differences between these two categories; and as such the requirements, place of filing, processing times and fees are different.

Many times, U.S. citizens and permanent residents will not require a visa to enter a foreign country for the purposes of a business trip, if their visit is for a period of time less than ninety (90) days. However, it is important to note that business visitors are limited in the activities they may participate in, in the country of destination. Often activities outside the scope of general business activities require a work permit. Failure to adhere to the regulations in many countries may result in penalties for both the corporation and individual. For that reason, GT takes the time to research all entry requirements and specifications to best advise our clients on what type of entry visa is best suited for their needs.

In general, business visitor activities may include the following:

- Participation in professional meetings for the mutual benefit of the home country employer and the local entity, including sales meetings with customers.
- Participation in training sessions and/or exhibitions and seminars organized by the company, trade organizations, and universities.

- Aiding the establishment or review of financial or human resources concerns.
- Representation of shareholders or exercise if fiduciary oversight of local affiliates or branches, particularly for senior managers or executives.
- Assisting local, host country lawyers in resolving American legal issues. Visiting U.S. lawyers usually may not advise on the host country laws unless they are registered with the host country Bar Association.
- Installing equipment and providing temporary services to a local office or client.
- Soliciting orders, providing product information, negotiating contracts and resolving issues with customers for sales and marketing personnel.
- Negotiating with unrelated third parties who are potential acquisition targets, or negotiating contracts for joint ventures, manufacturing affiliations, joint marketing, sourcing and licensing agreements.

Generally to obtain a business visitor visa and establish an individual's qualification, the following requirements will need to be satisfied:

- Maintenance of a residence and an employer outside of the host country. The business visitor must intend to visit the host country for a limited and pre-set time period and may not be subordinated to the management of the entity doing business in the host country.
- Receive compensation/salary from the employer in the home country; however, incidental expenses such as hotel room, cost of travel, and meals may usually be paid by the host company.
- Verification of adequate funds to defray expenses while on the business visit.
- Present specific and realistic plans for the stay in the host country.
- Period of intended stay must be consistent with the intended purpose of the trip.

We are here to help…

Greenberg Traurig continues its tradition of providing complimentary presentations to companies on global outbound immigration issues as well as discussions on money saving tax strategies and human resources considerations for employees and employers. GT's Global Outbound Immigration Group is chaired by Dawn Lurie. For any questions or further information on outbound visas, residence and work permits please contact us by e-mail (luried@gtlaw.com) or phone at: (703) 749-7527.

H-1B Quota for FY07 Opened on April 1, 2006

In planning for hiring needs for 2006, we urge employers to review their current and prospective employees who may benefit from, or require an H-1B visa to continue their current employment. The new FY07 H-1B quota that allows for a start date of October 1, 2006 became available for new filings on April 1, 2006. As there has not yet been any concrete relief implemented by Congress, we urge our clients to carefully assess their staffing needs for this year. For example, consider H-1Bs for those individuals that may be working already on practical training as well.

The new H-1B quota available with a start date of October 1, 2006 will also have an allowance for prospective employees who has a master's degree or higher in the field (20,000 additional numbers) as well as the 65,000 for bachelor's degree holders, including the Singapore and Chilean H-1B numbers. Please remember that the following H-1Bs are exempt from the general cap allocation:

- Individuals who already hold H-1B status and are extending their existing status.
- Individuals who already hold H-1B status and are changing the terms of employment or employers.

- Individuals who will be hired for positions at an institution of higher education or a related or affiliated nonprofit entity, or at a nonprofit research organization or a governmental research organization.

We believe that the general pool of H-1Bs available to bachelor's degree holders will be used up quite quickly this year, perhaps as early as the Summer, therefore, we urge you to initiate all new H-1B filings as soon as possible. Currently there is discussion in the Senate to raise the cap from 65,000 to 115,000 but the fate of the current bill remains unclear. We continue to work with our clients and legislative leaders in Congress to achieve relief for companies who have been negatively impacted by the lack of availability of foreign talent to augment their U.S. based workforce.

Local Office Procedures for Some Naturalization Cases

GT has learned that some United States Citizenship and Immigration Services ("USCIS") officers are requesting that applicants who appear for an interview, in connection with a naturalization matter, sign a waiver at the time of their interview. The waiver apparently states "I understand that in order to determine my eligibility for naturalization to US citizenship, the USCIS is authorized to verify information contained in my N-400 Application for naturalization, my immigration file(s), that which I provided during my interview, and information received from any other source. As a result, I hereby waive the requirement under Section 336 of the Immigration and Nationality Act, that the USCIS must render a determination on my N-400 Application for Naturalization within 120 days from the date of my naturalization interview/examination." We caution our clients and friends to consult with their immigration counsel prior to signing this type of a waiver, as it may not be in an applicant's best interests to allow USCIS to utilize any "additional information from any other source" and have an open-ended time table for the adjudication of the application. This waiver combined with the outrageous wait times for those stuck in the "name check" problem could be a disaster in terms of limiting options including mandamus actions.

EXCITING NEWS FROM CAPITOL HILL: OVERVIEW OF THE BILL PASSED OUT OF THE SENATE JUDICIARY COMMITTEE 3/27/2006

GT commends and applauds Chairman Specter and the Senate Judiciary Committee members for passing a bill out of committee on March 27, 2006. The legislative process ran its course and Chairman Specter remained committed to producing a bipartisan bill out of committee. Although the bill is not concrete and amendments can be made on the Senate floor, there was a great deal of progress made and the Committee product is a strong starting point for further debate on the Senate floor. Below please find an overview of what happened in the judiciary committee on March 27, 2006.

Title IV

Temporary Guest Worker Program

- Senator Kennedy offered an amendment that created a temporary work visa for temporary workers. This program was part of the McCain/Kennedy legislation and allows for a 3 year visa with the option to renew the work visa for an additional 3 years. The temporary worker program allows for the worker to obtain a green card, and eventually provides a path to citizenship.

Regarding the cap, Senator Kyl offered an amendment (6465) that would ensure that if unemployment were high in a particular category of job, in a particular metropolitan statistical area (one in which unemployment exceeded 11 %) the granting of visas to temporary workers would be precluded. This amendment passed on voice vote.

Senator Kyl offered an amendment (6466) that was to have been applied to the Mark and now would apply to the substituted Kennedy/McCain temporary worker program. The amendment would require that if the temporary worker self-petitions for permanent status after 4 years, as permitted under the McCain/Kennedy language, s/he must go home and wait in line with people already in the pipeline. Senator Kennedy opposed the amendment stating that sending them back would unduly disrupt their lives and their jobs. The Kyl amendment failed on a roll call vote of 11-5.

Agricultural Guest Worker Program

- Senator Feinstein offered an amendment (6493) that creates a guest worker program for agricultural jobs ("AgJobs"). Senator Craig, the primary sponsor of AgJobs, was present during mark-up. Amendment 6493 is a pilot program allowing undocumented immigrants to adjust status if they meet prescribed requirements, including previous employment for a specific amount of time, proof of payment of taxes, paying a fine, etc. The motivation behind this amendment is to create a legalized workforce for this industry. The program has a cap of 1.5 million over a five year period. Under this program, spouses and children can get work permits and they are permitted to travel. This would sunset at the end of a five year period.

Title VI

The Undocumented and Earned Adjustment

- There were also other significant bipartisan efforts. Chairman Specter discussed the unrealistic notion that the U.S. will seek, detain and deport the 11 million undocumented immigration currently in the U.S. In this spirit, a reasonable provision providing for earned adjustment was accepted which would allows for illegal aliens out of status to come forward, pay a fine, go through security and background checks, prove knowledge of English and work for 6 years and then get in the back of the line before being able to adjust status. Though this amendment was offered by Senator Graham, it very much resembles the McCain/Kennedy provisions.

In reaction to these developments, Senator Cornyn released a statement noting that though he remains committed to comprehensive reform, he "cannot vote to support this compromise, or any compromise, until I've had time to adequately study the proposed text, and until I'm satisfied that the compromise does not offer amnesty to those who have broken our immigration laws at the expense of those who are following our laws. In this area, it is important to know what the text says and what it does not say so that we know definitively how the chairman proposes we treat those who have broken the law."

Other Notable Highlights

Title I

- Senator Durbin offered an amendment that would protect churches and individuals that assist undocumented immigrants in obtaining food, shelter and medical treatment from becoming felons. Criminalization of the undocumented was retained in the legislation but only on a going forward basis following enactment of the legislation. The retroactive provisions of the Chairman's Mark were removed. Additionally, undocumented individuals in the U.S. would be treated as misdemeanants and not felons (as was done in the House bill).

Title III

- Title III, the employment of unauthorized workers was not reported out of committee and will be debated on the floor. Title III, which specifically deals with employment eligibility and verification systems, is currently being considered in the Senate Finance Committee and, as noted by Senator Grassley, the Finance Committee did not finish negotiations. The Judiciary Committee therefore could not take up this title.

Title VII

- The Judiciary Committee also did not deal with Title VII, regarding Judicial Reform because there is a great deal of controversy regarding the provision in the Chairman's Mark.

United States Department of State Begins Issuance of Electronic Passports

The Department of State has begun the phase-in process for issuing new Electronic Passports also known as the "e-passport." On December 30, 2005, the Department of State began a pilot program, that limited production of e-passports to be issued to diplomats. The Department of State plans to begin full production and issuances of valid U.S. e-passports to the general public later this year with plans for full integration of e-passports issuances at all domestic passport agencies by the end of 2006.

Previously issued traditional passports without electronic chips will remain valid until their expiration dates and can be used for travel. The public can still apply to obtain or renew a traditional passport if they prefer, before full integration of e-passports begins. The new Electronic Passport or e-passport contains an integrated circuit (or "chip") that is embedded in the back cover. The chip will act as a storage device for personal data. It will store the data that is visually displayed on the data page of the passport, biometric identifiers in the form of a digital image of the passport photograph, and a unique chip identification number and a digital signature.

The purpose of the Department of State issuing the new e-passport with stored data is to prevent the problem of forged traditional passports and to improve United States border security. The technology in these new e-passports is intended to help secure and protect U.S. borders by making it easier to automatically verify the identity of individuals, which should lead to faster and more efficient immigration inspections.

Opponents of the new e-passport fear that the data stored electronically in the e-passport could become accessible to anyone, including criminals or terrorists, who could use intercepting equipment or another reader to scan the stored data on the e-passport from a distance. In response to these privacy concerns the Department of State has adapted the e-passport to include an anti-skimming device in the passport's front cover, and technology known as basic access control (BAC). These two adaptations will reduce the possibility of the e-passport being scanned and read from a distance, also known as skimming or eavesdropping. Other opponents believe that the new e-passport will increase the potential for domestic surveillance from the Department of State.

Don't Let the Government Come Knocking on Your Door: Here's How to Avoid I-9 Audits

It's all about understanding employment eligibility. Remember employers bear the burden of verifying their employees' legal immigration and work authorization status. The Immigration Reform and Control Act of 1986 ("IRCA") requires that employers attest to the validity of evidence of employment authorization and identity from each worker, and complete a Form I-9 as documentation of this testament.

Although I-9 compliance can be financially burdensome and very time consuming, it is necessary and often overlooked. With the current immigration reform legislation being discussed on Capital Hill combined with a restrictionist climate, it appears that employment eligibility will only become more complex. Tighter enforcement policies and higher penalties are on the horizon.

Here are GTs top five tips for creating and maintaining, a workable I-9 system.

A. Retain Counsel: Hiring an attorney to provide advice, guidance and training regarding I-9 compliance is prudent. Counsel not only oversees that an employer is in compliance, but s/he can also help keep employers abreast of changes in the law. Counsel should always be contacted before and after entering into any significant corporate transaction. A merger, acquisition or even a transfer of a small percentage of stock may render a key manager out of status.

B. Train HR and Managers: HR managers who are adequately trained on I-9 requirements can help minimize an employer's potential liability for I-9 violations. Remember employers need to complete the I-9 form within three days of hire of the new employee and actually have section one completed on the first day of employment. The training component is critical as the employer must find the balance between ensuring that the proper documentation is provided to complete the I-9 form while avoiding discrimination issues. Trained HR managers can also help foreign employees continue to maintain lawful status and comply with all of the technicalities imposed by the law.

C. Audits: Employers with shabby or no I-9s (and there are many of them), should immediately create files for each employee identified from payroll and other records. While the Immigration and Custom Enforcement (ICE) agency may allow for a "good faith defense" to be asserted where paperwork violations are noted and fixed, ICE will not look kindly on employers with NO I-9s. Careless internal policies and lax reviews can translate into I-9s fraught with violations that could easily be corrected before the government knocks on your door. Due to changes in personnel and changes in the laws ongoing periodic internal audits are also recommended.

D. Take Corrective Action: If the employer has not properly maintained their I-9 forms, has not created the forms or they have been lost or destroyed, as soon as the issue is identified, steps should be taken to correct the I-9 program. It is important that employers understand that fixing the issue on a proactive basis, although definitely a good faith action, does not correct the prior violation. Additionally any corrections should be carefully annotated. Don't go back and create new I-9s or backdate the forms.

E. Create a Tickler System: Employers must ensure that employees maintain their eligibility throughout his/her employment by renewing any status that is designated as "expiring" in the attestation of Part 1 on the Form I-9. One way employers can do this is by establishing and maintaining a tickler system that provides automated reminders of employee's expiration dates. Also, a program to maintain the I-9s for the appropriate time period should be instituted – three years from the date of hire or one year from the date of termination – which ever is longer. Holding onto I-9s for lengthy periods of time not required by law is not recommended as it creates additional liability.

USCIS Prepares to Implement its "Bi-Specialization Program

USCIS has provided guidance for its implementation of the new "Bi-Specialization" Program (the "Program"). This Program was developed in order to centralize the processing of both immigrant and non-immigrant petitions. As a result, Service Centers will be tasked with the responsibility of processing specific types of petitions. This means that the Service Centers will split the review of certain petitions and become specialized accordingly.

Historically, the agency has required that petitions be submitted on the basis of either an applicant's or petitioner's geographic location. This organization effectively required each Service Center to "specialize" in the processing of all types of visa petitions, a process that sometimes results in a disparity of processing times between Service Centers. For example, the Texas Service Center is currently processing first preference immigrant petitions with receipt notices dated January 4, 2006, whereas the Nebraska Service Center is currently adjudicating the same petitions with a receipt date of October 1, 2005, more than three months slower than its sister center. Such a difference in processing times could have serious ramifications for an employer's business future plans.

Particular details of this new Program are still forthcoming, however, the Program is expected to be incrementally integrated from April to September of 2006. Consequently, USCIS announced today that, effective April 1, 2006, all Petitions for a Non-Immigrant Worker (filed on Form I-129) should be filed with the Vermont Service Center ("VSC").

Similarly, all Petitions for an Immigrant Worker (filed on Form I-140) should be filed with the Nebraska Service Center ("NSC"). All forms accompanying each of these filings, including Petitions to Amend/Extend Status for a dependent and/or permanent residency applications should be filed at these same locations.

USCIS will be implementing a plan of shared responsibility for these petitions between two Service Centers. Consequently, ultimate responsibility for all I-129 filings will be shared between the VSC and the California Service Center ("CSC"), while all I-140 filings, family-based immigrant petitions (on Form I-130) and adjustment of status applications (Form I-485) are going to be shared between the both the NSC and the Texas Service Center. Despite these changes, there will be no immediate change to the Service Centers' filing addresses. Nor will petitions be refused if they are erroneously filed at the wrong Service Center. In fact, USCIS plans to use an overnight delivery service to help transfer cases to the correct Center and will honor the original receipt date of the filing. In addition, although this process may result in a one-day delay of receipt notices, the actual receipt notice will be issued by the Center assuming responsibility for that case. For further information on this new Program, please review the USCIS Fact Sheet.

GT will continue to monitor these developments. In the coming months, we will provide you with additional infor-mation regarding this new Program as it becomes available.

GT BUSINESS IMMIGRATION GROUP SPOTLIGHTS SHAREHOLDER LAURA REIFF

Laura Reiff is a principal shareholder in the GT Business Immigration Group. She focuses her practice on business immigration laws and regulations affecting U.S. and foreign companies, as well as related employment compliance and legislative issues. As the co-founder and co-chair of the Essential Workers Immigration Coalition (EWIC), Laura works with a broad based group of trade associations and multi-national corporations that seek reasonable business immigration policies for essential (lesser skilled) workers. She is a leading immigration policy specialist and works closely with Legislative and Agency policy makers.

As the co-chair of EWIC, a coalition of businesses, trade associations, and other organizations from across the industry spectrum, Laura has brought together historically disparate groups and in doing so EWIC has proven to be an intricate part of moving comprehensive immigration reform forward. Laura has ensured that EWIC stands ready to work with the Administration and Congress to push forward on important immigration reform issues.

2006 is the year of comprehensive immigration reform and Laura has played a leading role in this effort. Laura was called upon by Congressional members to advise Senator Edward Kennedy and Senator John McCain as they drafted and promoted their immigration reform measure, the Secure America and Orderly Immigration Act (S. 1033/H.R. 2330). Most recently Laura has worked with members of the Senate Judiciary Committee in the drafting and debating of the bill passed by the committee. Laura is working closely with all relevant legislative offices to reach a workable, practical solution that will address the needs of our broken immigration system. As a nationally respected leader in the field, Laura has played a major role in provided draft legislative language, comments, feedback and amendments to the mark-up. As a legislative leader, Laura understands the value and importance of working in a bi-partisan manner, engaging all politicians, business and community leaders and leading policy specialists. Laura's behind the scenes work should be commended by all and we congratulate her for her commitment and perseverance during the past seven years of coalition building.

For more information on Laura's legislative work please see the following articles:

The New York Times, *A G.O.P. Split on Immigration Vexes a Senator*, March 26, 2006
CFO.Com, *Help Wanted: Why Business Should Worry About the Battle Over Immigration Reform,* March 15, 2006
San Francisco Chronicle, *Immigration Bill Would Add Visas for Tech Workers*, March 10, 2006
The Washington Times, *Bill Seeks to Keep U.S. Technology Lead*, March 13, 2006

Immigration Roundtable:

Appearance on MSN to Discuss Proposed Immigration Reform

Immigration Seminar Update

Greenberg Traurig continues its tradition of providing complimentary presentations to companies on I-9 compliance, hot topics including contractor/ subcontractor issues, PERM updates, global outbound immigration issues as well as discussions on money saving tax strategies for employees and employers. GT provides information, guidance and assistance to human resource professionals on employment verification compliance, strategies for the implementation of federal regulations and information on the penalties for failure to do so. GT also regularly convenes multi-national industry professionals for informational seminars focusing on visa matters relating to the international relocation of employees and executives to, and between, countries outside of the United States. Please contact Kathleen Hooban at hoobank@gtlaw.com for further information on seminars we will be holding between April and June of 2006.

One of our April seminars "**Independent Contractor or Employee? Just Because You Call Them Independent Contractors Doesn't Mean They Are**," focuses on the legal differences between independent contractors and employees. This seminar is being presented by Craig Etter, John Scalia, Maria Hallas, and Dawn Lurie and is being held on Thursday, April 6, 2006 in the Tysons corner office.

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The Business Immigration Observer is published by Greenberg Traurig's Business Immigration practice. Dawn M. Lurie serves as the editor. The newsletter contains information concerning trends and recent developments in immigration law and legislation analyzed and reported by immigration law professionals.

The Observer serves as an invaluable resource to individuals, human resource managers and recruiters, in-house legal professionals and company executives for whom keeping up with the most current immigration information is a professional imperative.

SPREAD THE WORD

If you have enjoyed reading this newsletter and have found useful information in it, we would greatly appreciate your help in spreading the word. You can do this by forwarding a copy to your friends and colleagues.

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Want to schedule a consultation? Contact us at immconsult@gtlaw.com

APRIL 2006 RESOURCES

April 2006 State Department Visa Bulletin Link:

http://travel.state.gov/visa/frvi/bulletin/bulletin_2847.html

Visa Wait Times:

http://travel.state.gov/visa/temp/wait/tempvisitors_wait.php

Service Center Processing Times:

Vermont: http://www.gtlaw.com/practices/immigration/processing/cis/vscProcesstimes.pdf

Texas: http://www.gtlaw.com/practices/immigration/processing/cis/tscProcesstimes.pdf

Nebraska: http://www.gtlaw.com/practices/immigration/processing/cis/nscProcesstimes.pdf

California: http://www.gtlaw.com/practices/immigration/processing/cis/cscProcesstimes.pdf

National Benefits Center: http://www.gtlaw.com/practices/immigration/processing/cis/NBCprocesstimes.pdf