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Immigration Law Update October 2014

By Janet Cheetham, Joel Paget and Marsha Mavunkel

Government Shutdown: How Are You Affected?

USCIS: All offices are open and clients are asked to show up for all appointments at USCIS. Applications which are filed will continue to be processed.

Department of Labor: The DOL Office of Foreign Labor Certification (OFLC) has confirmed that due to the government shutdown, it is neither accepting nor processing any applications or related materials it receives, including Labor Condition Applications (LCAs).

Department of State: The State Department will continue processing foreign applications for visas and US applications for passports, since fees are collected to finance those services. Embassies and consulates overseas will continue to provide services to American citizens.

E-Verify: E-Verify is currently unavailable due to the government shutdown. While E-Verify is unavailable, you will not be able to access your E-Verify account. As a result, you will be unable to enroll a company or verify employees. We will continue to monitor the situation. Feel free to call if you have questions.

Diversity Immigrant Visa Program

The Diversity Immigrant Visa Program is administered annually by the Department of State and provides for a class of immigrants known as "diversity immigrants," with visas made available to persons from countries with historically low rates of immigration to the United States. For Fiscal Year 2014, 50,000 diversity visas were issued.

Online registration for the DV 2015 Program began on Tuesday, October 1, 2013 at 12:00 noon, Eastern Daylight Time (EDT) and will conclude on Saturday, November 2, 2013 at 12:00 noon, EDT. See the Diversity Visa Program Instructions the Department of State webpage for the DV 2015 instructions and any available translations. Visa applicants may now include same-sex spouses in their initial entries or add spouses acquired after their initial registration.

A Note From The Inspector General

According to the Inspector General's latest report, the Fraud Division of USCIS will be conducting on-site visits to employers of employees who hold L-1 status beginning the first quarter of 2014. Now the employers of L-1 and H-1B employees will be subject to unannounced on-site visits. If any of your employees have changed locations or job duties, please contact us before they arrive.

This message has been released by the Immigration Group at Ryan, Swanson & Cleveland, PLLC to advise of recent developments in the law. Because each situation is different, this information is intended for general information purposes only and is not intended to provide legal advice on any specific facts and circumstances. Ryan, Swanson & Cleveland, PLLC is a full-service law firm located in Seattle, Washington.