

October 31, 2014

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Immigration Law Update

Current Developments in Immigration

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.

Diversity Lottery Closes November 3, 2014

Online registration for the DV 2016 Program will conclude on Monday, November 3, 2014. The Diversity Lottery allows individuals from countries with historically low rates of immigration to the United States to apply for a randomized computer drawing for permanent residency. For fiscal year 2016, 50,000 diversity visas (DVs) will be available. There is no cost to register for the DV Program. See the Diversity Visa webpage for the DV 2016 Instructions and translations at: <http://travel.state.gov/>. For DV-2016, natives of the following countries are not eligible to apply, because more than 50,000 natives of these countries immigrated to the United States in the previous five years:

Bangladesh, Brazil, Canada, China (mainland-born), Colombia, Dominican Republic, Ecuador, El Salvador, Haiti, India, Jamaica, Mexico, Nigeria, Pakistan, Peru, Philippines, South Korea, United Kingdom (except Northern Ireland) and its dependent territories, and Vietnam.

Please note that persons born in Hong Kong SAR, Macau SAR, and Taiwan are eligible.

E-Verify Archiving

On January 1, 2015, transaction records more than 10 years old will be deleted from the E-Verify system. Employers enrolled in E-Verify will no longer have access in E-Verify to

cases created prior to December 31, 2004. To access these records after January 1, 2015, employers will need to download a Historic Records report before December 31, 2014. The report will include all transaction records for cases more than 10 years old, but will only be available until December 31, 2014. Employers should be aware, that E-Verify will archive each year moving forward, however, employers will be advised each year when the Historic Records Report is available for downloading.

Rollout of myE-Verify

USCIS recently announced the creation of myE-Verify, a program that allows employees to access the E-Verify system. MyE-Verify provides workers a way to participate in the E-Verify process. The program will allow employees to lock their social security numbers to prevent unauthorized or fraudulent use within E-Verify, which will allow account holders to protect their identities from being used by others to illegally gain employment. MyE-Verify will begin as a pilot program for individuals in Arizona, Idaho, Colorado, Mississippi, Virginia and the District of Columbia, but eventually will be offered to employees throughout the U.S.

International Travel Plans

During the next few months many foreign nationals are considering extended trips abroad. Before traveling abroad, however, foreign nationals need to be sure the trip will not impact any currently pending activity on their behalf and that they will not have trouble re-entering the U.S. at the end of their trip. If a foreign national is changing status from within the United States, he or she cannot travel abroad until the change of status is approved, otherwise the change of status will be viewed as abandoned. Additionally, in order to re-enter the U.S. from trips abroad, foreign nationals generally need to have either a valid visa stamp in their passport which matches their current status or a valid advance parole document. In order to obtain a valid visa in the correct category, foreign nationals may need to visit a U.S. Consulate while abroad, and certain procedures must be followed. Any foreign nationals who have recently extended their non-immigrant status or more importantly have changed their status/have a change of status pending with USCIS

currently should contact Rosner, Ortman and Moss Partners before traveling abroad to ensure international travel will not impact his or her status.

November 2014 Visa Bulletin

Employment- Based	All Areas Except Those Listed	China- Mainland Born	India	Mexico	Philippines
1st	C	C	C	C	C
2nd	C	08DEC09	15FEB05	C	C
3rd	01JUN12	01JAN10	22NOV03	01JUN12	01JUN12
Other Workers	01JUN12	22JUL05	22NOV03	01JUN12	01JUN12
4th	C	C	C	C	C
Certain Religious Workers	C	C	C	C	C
5th	C	C	C	C	C

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**Sincerely,
Rosner, Ortman & Moss Partners, LLC**

The Caxton Building
812 Huron Road, Suite 601
Cleveland, Ohio 44115
T: (216) 771-5588
F: (216) 771-5894
immigration@rosnerlaw.com

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