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ABOUT THE AUTHOR
Joel Stewart practices exclusively in the area of immigration law. Mr. Stewart specialized in Romance and Slavic Linguistics before receiving a J.D. from the University of Connecticut School of Law, and is fluent in Portuguese, Spanish, French, and Russian. He is Past President of the South Florida Chapter of the American Immigration Lawyers Association (AILA) and is a nationally recognized authority on employment-based immigration matters as well as a popular speaker at immigration seminars for national and local bar associations throughout the United States. Mr. Stewart is the editor of The Perm Book, the definitive authority on the subject of PERM processing of labor certifications, and the editor/author of The Perm Quarterly, a professional journal that compiles and develops updated information on PERM for attorneys and employers. Mr. Stewart has been writing the BALCA Case Summaries for AILA and Immigration Law Today since 1987 and authors official AILA articles and publications such as the Visa Processing Guide for Procedures at U.S. Consulates and Embassies in Brazil and Portugal. Mr. Stewart writes weekly newspaper columns for the Brazilian Times and the Brazilian Paper and presents a weekly radio program in Portuguese on Radio Brazil. In addition to supervising an exchange program for foreign law students to work and study in the U.S., Mr. Stewart has also lectured at the University of Law in Saint Petersburg, Russia, and heads the immigration committee for the Dade County Bar Association in Miami, Florida.

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THE
H-1B
BOOK

2008-2009 Edition
Editor: Karen Weinstock

• MANY HANDY CHECKLISTS, PRACTICAL SAMPLES & DETAILED EXAMPLES: including lawyer's H-1B consultation questionnaire form; lawyer's H-1B task checklist; H-1B employer intake/questionnaire form; H-1B employee intake/questionnaire form; employer's flowchart for the complete H-1B process; list of credentials evaluation firms, websites and phone numbers; practice examples in determination of the Prevailing Wage - PW for computer programmer in New York, PW for elementary school teacher in Atlanta, PW for pediatrician in Los Angeles, PW for college math teacher in Detroit; completing the LCA step by step; H-1B dependent employers worksheet for the LCA; sample H-1B petition letter - software engineer; sample H-1B petition letter - graphic designer; sample H-1B petition letter - management consultant; sample H-1B petition letter - part time accountant; sample H-1B petition letter - financial analyst; sample H-1B petition letter - university professor; sample H-1B petition letter - family physician; sample letter to employer regarding public access file; memorandum to employers on labor condition application; public access file sample; H-1B petition document checklist; sample response to request for additional evidence

• H-1B STEP BY STEP: Interview the Client; Send the Client Intake Forms and Related Information; Credentials: Verify that the Worker has a U.S. Bachelor's Degree or Equivalent; Determine the Prevailing Wage; Prepare and File the Labor Condition Application; Prepare the I-129, Related Forms and Petition Letter; Prepare the I-129, Related Forms and Petition Letter; Send all the Forms and Petition Letter to the Client for Review & Signature; Assemble the H-1B Petition & Send to the USCIS Service Center; Troubleshooting; Post-Approval Case Management

• ADVANCED H-1B ISSUES: H-1B Degree Equivalency; Reviewing the Path to Permanent Residency; Traveling on an H-1B Visa While Petition or Application is Pending; Dealing with Gaps in Employment; Temporary Visa Alternatives to the H-1B; The History & Economic Impact of the H-1B Visa; When are H-1B Visas Cap Exempt?

• ESSENTIAL H-1B MEMORANDA: includes Memoranda on Dual Intent, Computer related positions, Travel after change of NIV status, AC21, Nurses, Prevailing Wage Determination; (also on CD-ROM: useful forms and relevant sections of INA, CFR, FAM)
ABOUT THE AUTHOR

Karen Weinstock is the Managing Attorney of the Atlanta, Georgia office of Siskind Susser Bland. Karen graduated law school from Hebrew University School of Law in Jerusalem, Israel and is licensed to practice law both in Israel and in New York State. She is also admitted to practice before the Supreme Court of the United States, the United States Federal Court of the Southern and Eastern Districts of New York, and the U.S. Court of Appeals for the 5th, 9th and 11th Circuits. Karen is fluent in English, Hebrew and also speaks Spanish. She is a member of the American Immigration Lawyers Association and the New York Bar Association. She is also a member of the Board of Directors of the American-Israel Chamber of Commerce and an outgoing Board of Directors member of the Georgia Indo-American Chamber of Commerce. She previously sat on the Board of Directors of the Georgia Association for Women Lawyers, and currently a member of the Lawyer's Club of Atlanta, the Japan-American Society, and the British American Business Group, among other international organizations. Ms. Weinstock was nominated for the 2006 International Women of Influence Awards presented by GlobalEXECWomen and the International Council. Karen Weinstock's previous work experience includes an Intellectual Property law firm in Tel Aviv and one of Jerusalem's largest law firms. Immediately prior to joining Siskind Susser Bland, Karen had a solo law practice in New York City, serving international clientele doing business or working in the U.S. Her corporate law experience enables her to serve the special needs of multinational corporations. Karen is an expert in representing U.S. and international companies in the technology and healthcare areas. Karen writes articles for Siskind's Visalaw Health Care Immigration Newsletter and to Siskind's Immigration Bulletin, a newsletter with over 30,000 subscribers which includes government officials. She is featured in newspapers, interviewed on television multiple times and is a keynote speaker on various immigration law topics in forums and events around the world.
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I-140 Immigrant Petition for Alien Worker  
I-485 Application to Register Permanent Residence or to Adjust Status  
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THE
NURSE
IMMIGRATION
BOOK
2007-2008 Edition
Editors: Joseph Curran and Dan Berger

- PREPARING AN IMMIGRATION CASE: H-1 Visas For Nurses; TN Status For Nurses; Practice Pointers for Presenting TN Applications; An Outline Of A Typical Nurse Case, Including Consular Processing; Adjustment Of Status For Professional Nurses; Building International Bridges; Tips For Staffing Companies In Planning Their Posting Strategies; Licensure- US State Licenses For International Nurses; Immigration Basics For Allied Professional Healthcare Workers; Managing Or Achieving Expectations-The Key To Success
- UNDERSTANDING THE NURSING CRISIS: Global Issues In Nurse Recruitment; The Nurse Shortage-Why It Matters; Deadly Consequences- The Hidden Impact Of America's Nursing Shortage; Aiding And Abetting- Nursing Crises At Home And Abroad; US Visa Policy Competition For International Scholars, Scientists And Skilled Workers; Better Late Than Never- Workforce Supply Implications Of Later Entry Into Nursing
- RECRUITING AND RETAINING NURSES: The Business Of Nurse Migration; Recruitment Of Workers In The Philippines- Playing Ball With The POEA; Successful International Nurse Recruiting; Nurse Assimilation; Hospitals' Responses To Nurse Staffing Shortages; Nurse Perspectives Of The Migration Experience
- ESSENTIAL REFERENCE MATERIAL: Includes relevant sections of INA, CFR, OI, AFM, FAM, and critical USCIS & DOL Memoranda
- CD-ROM: Has 150+ important documents including USCIS, DOL & DOS forms, materials from CGFNS, links to state by state requirements and many informative resources
ABOUT THE AUTHORS

Joseph P. Curran has been exclusively involved in the practice of immigration and nationality law since 1985, with experience representing clients in all aspects of this area of law. He has served as counsel to numerous individuals, major corporations, universities, and research institutions, specializing in immigration issues impacting on business and family-based sponsorship in the New England area. Mr. Curran is a member in good standing of the Massachusetts Bar Association, and he currently serves on the Bar's Committee for Immigration and the Bar's Committee for High Technology.

Dan H. Berger, a graduate of Harvard College and Cornell Law School, has written numerous articles on immigration law, and is a frequent speaker at colleges and universities around the northeast. He won the 1995 American Immigration Lawyers Association (AILA) annual writing competition for an article on INS policies toward international adoptions.
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ABOUT THE AUTHOR

Jill Sheldon is the Southeast Field Office Attorney for the Catholic Legal Immigration Network, Inc. (CLINIC) in Miami. She conducts trainings for CLINIC in various parts of the country with a focus on issues relating to the immigration consequences of criminal convictions and relief from removal. She also provides assistance to CLINIC affiliates throughout her region and represents immigrants in immigration court and before the Board of Immigration Appeals. Ms. Sheldon has also worked as a CLINIC detention attorney in Villanova, Pennsylvania, representing and assisting detained immigrants in various Pennsylvania jails. She previously worked for two years as the CLINIC detention attorney in Miami through the Georgetown University Law Center/Jesuit Refugee Service Fellowship. Ms. Sheldon received her A.B. from Columbia University and her J.D. from the Georgetown University Law Center.
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ABOUT THE AUTHOR

Jill Sheldon is the Southeast Field Office Attorney for the Catholic Legal Immigration Network, Inc. (CLINIC) in Miami. She conducts trainings for CLINIC in various parts of the country with a focus on issues relating to the immigration consequences of criminal convictions and relief from removal. She also provides assistance to CLINIC affiliates throughout her region and represents immigrants in immigration court and before the Board of Immigration Appeals. Ms. Sheldon has also worked as a CLINIC detention attorney in Villanova, Pennsylvania, representing and assisting detained immigrants in various Pennsylvania jails. She previously worked for two years as the CLINIC detention attorney in Miami through the Georgetown University Law Center/Jesuit Refugee Service Fellowship. Ms. Sheldon received her A.B. from Columbia University and her J.D. from the Georgetown University Law Center.

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Pravinchandra J. Patel is a member of the New York State Bar, and the American Immigration Lawyers Association. He is also a member of the Bars of the Federal District Courts for the Southern and Eastern Districts of New York and the United States Supreme Court.
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From the Foreword by William Stock
This publication contains immigration related regulations of the Department of Labor (20 CFR), Department of State (22 CFR) and Department of Justice (28 CFR), with an exhaustive topical INDEX.

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- Liberally cross references to other sections in the book where related topics are discussed (because so many topics are interrelated).
- Provides line-by-line instructions on how to complete the most commonly used forms to avoid embarrassing mistakes.
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- Organizes explanations of potentially applicable visa options according to the attributes of the alien (and the employer), rather than the classifications in alphabetical order, so that practitioners can make sense of options in light of the client in the office.
- Compares and charts attributes and procedures of such topics as nonimmigrant visa classifications, procedures to permanent residence, and standards of "extreme" hardship. - Cites the most useful Internet site URLs with explanation of the increasingly helpful free databases and tools available through each one.
- Is edited and completely updated each year with the latest developments in all areas of immigration law.

- Constantly increased and updated links to government web sites containing current contact information, forms, primary law sources of all types, case status information, and processing and substantive guides—all referenced by pinpoint citations in the text. See Chapter 5 explaining sources of law, Appendix C and D-1 showing web links, and the CD-ROM in the back cover providing one-click access!
- Analysis of the Labor Department’s new PERM rules, with tables showing how and where they change labor certification practice.
• Step-by-step instructions for completing DOL’s Form ETA 9089, which was introduced with the PERM program and which is completed and filed on-line.
• Analysis of REAL ID Act of 2005 and its impact on removal proceedings, asylum applications, judicial review and business immigration cases.
• Discusses the E-3 category for Australian nationals in specialty occupations.
• Updated treatment of the Basic Pilot Program for employment verification, which has been expanded to all 50 states and the District of Columbia.
• Provides references to USCIS’ on-line Adjudicator’s Field Manual.
• USCIS fee changes indicated throughout book.
• Updated chart showing each country’s special characteristics under immigration procedures, plus U.S. consular locations and contact information. See Appendix C-6 (CD-ROM in back cover).
• Addition of recent immigration-related cases decided by the federal courts.
• Discussion of recent decisions by the Board of Immigration Appeals.
• Includes explanation of Direct Mail filing procedures for family-based cases, most of which are now filed with the National Benefits Center through its Chicago lockbox facility.
• Expanded treatment of USCIS’ electronic filing systems.
• ITIN and SSN issues.
• Information on dealing with the H-1B cap.
• Consideration of need for cross-cultural communications training in the context of asylum adjudications and determinations of witness credibility.
• Revised and updated discussion of the mechanics of the Basic Pilot Program.
• Discussion of legislation providing additional immigrant visa numbers for use by nurses to relief shortages cause by visa backlogs.
• Analysis of issues relating to the return of backlogs in certain immigrant visa preference categories.
• Tips for drafting labor certification applications.
• Updated poverty level guidelines.

This book has received testimonials from Daryl Buffenstein, Peter Williamson, Dale M. Schwartz, David Ware, Elizabeth Stern, Ben Gim, Joseph K. Venishnick, Ira L. Mazer, Jeffrey Kantor, Petro Morgos, Jonathan David Guze, Byron Toben, Andre Michael Wang, Philip Berns, Seung-Ho Choe and many others.

ABOUT THE AUTHORS

Robert C. Divine serves as the Principal Legal Advisor to the U.S. Citizenship and Immigration Services bureau of the Department of Homeland Security. This book and this edition were written prior to his appointment, in his private capacity as an immigration lawyer, and the book does not in any way constitute an official statement of the law or policy or otherwise reflect the views of USCIS or DHS. Prior to his appointment to this position in 2004, Mr. Divine practiced all aspects of immigration law on a national scope as a leader of the immigration team within Baker Donelson Bearman Caldwell & Berkowitz, a firm with over 300
lawyers in 10 offices throughout the Southeast and Washington, D.C. His clients included multinational corporations, medical, financial and academic institutions, information technology providers and users, foreign investors, manufacturers, and individuals from many countries. He had been an active member of the American Immigration Lawyers Association since 1986 and has authored numerous bar journal and other articles on immigration law. In early 2004 he served as an expert for the U.S. Commission on International Religious Freedom evaluating the impact on asylum claims from DHS' implementation of expedited removal procedures.

R. Blake Chisam is currently Legal Counsel to the Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law of the United States House of Representatives. Prior to his appointment he practiced exclusively in the area of Immigration and Nationality Law as a partner in the firm of Chisam & Majid. He advised organizations with respect to immigration-related policy, employment, civil rights, and health care law matters, including related white-collar criminal and regulatory compliance issues. Mr. Chisam is an active member of the American Immigration Lawyers Association, for which he currently serves on its Business Litigation committee, and the American Bar Association. In October 2000, Mr. Chisam and his partner Jasmine A. Majid were awarded the prestigious Meritorious Public Service Award from the Director of the U.S. Department of Justice’s Executive Office for Immigration Review, which was presented by then Attorney General Janet Reno, in recognition of their "tireless and distinguished pro bono efforts on behalf of unrepresented aliens detained by the Immigration and Naturalization Service." Mr. Chisam has lectured on immigration law to law students at universities across the U.S., and he is a frequent author and lecturer to professional associations, academic symposia and community groups. He is admitted to practice in New York, Maryland, Pennsylvania and a host of federal courts.
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