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Table Of Contents

Acknowledgments

PART I.

I-140 INTRODUCTION

Chapter One Editor's Introduction
Chapter Two Basic Important Employment-Based Concepts by Kristen Quan Hammill

PART II.

I-140 BY HERBERT A. WEISS

Chapter One Basic Overview of the I-140 EBIV Process
Chapter Two The Scope of Agency Authority
Chapter Three The Job Offer Requirement
Chapter Four The Immigration Act of 1990
Chapter Five The EB-11 Extraordinary Ability
Chapter Six The EB-12 Outstanding Professor and Researcher
Chapter Seven The EB-13 Multinational Manager and Executive
Chapter Eight The EB-2 Advanced Degree Professional And Person Of Exceptional Merit And Ability
Chapter Nine The EB-3 Skilled Worker, Professional, And Other Worker
Chapter Nine The I-140 Form
Chapter Ten The Standard of Evidence
Chapter Eleven Priority Dates
Chapter Twelve Filing Multiple Petitions
Chapter Thirteen Successors in Interest
Chapter Fourteen Ability Of Prospective Employer to Pay Wage
Chapter Fifteen Portability
Chapter Sixteen Revocation, Invalidation and the Section 204(c) Bar
Chapter Seventeen Withdrawals and Appeals/Motions
Chapter Eighteen A Checklist For Putting Together I-140s (And Some Do's And Don'ts)

PART III.

SPECIAL I-140 TOPICS

Chapter One Step by Step For Schedule A Applications by Sherry Neal
Chapter Two Aliens of Exceptional Ability in the Performing Arts by Howard L. Kushner

Chapter Three	Derivative Beneficiaries of Employment Based Immigrant Petitions and the Child Status Protection Act (CSPA) by Dorothee Mitchell and Faye M. Kolly
Chapter Four	The Future of The I-140 (Employment-Based Immigration) Process by Prakash Khatri

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PRICE: \$499

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I. Editors' Introduction

II. Understanding I-9 Concepts

- A. The Evolving Challenge for Employers - From I-9s to E-Verify? by Michael D. Patrick and Justin Rymer
- B. Changing Trends in I-9 Best Practice by Richard A. Gump, Jr.

III. I-9 Advanced Topics

- A. False Statements, False Documents, and False Claims of Citizenship to Obtain Employment in the United States by Adam Ketcher and Cyrus D. Mehta
- B. Aramark v. SEIU and the Evolution of Constructive Knowledge in Relation to the DHS Social Security No-Match Rule by Gregory A. Wald
- C. What about the I-9: I-9 and E-Verify Compliance in the Context of Pending Adjustment of Status Applications and Travel on Advance Parole by Susanne C. Heubel and Olivia M. Sanson
- D. Dangerous Self-Help: The Risks of Losing the Attorney-Client Privilege During Form I-9 Audits by Robert F. Loughran, Susan Kelly, Kevin Lashus, Maggie Murphy and Vinh C. Trieu

IV. Employer E-Verify Considerations

- A. Employment Law Issues in an E-Verify World by Bonnie K. Gibson
- B. Should Employers Sign Up for E-Verify? by Steve Trow and Lynn O. Tarran
- C. Using Software for Electronic I-9s and E-Verify by John Fay and Julie Pearl
- D. E-Verify Everyday: Employers Weigh In by Johanna Marmon
- E. Pre-Employment Inquiries Concerning Immigration Status: When Concern for Immigration Law Compliance can Bring Employment Law Problems by Kristin Major and Dan Siciliano

V. E-Verify Advanced Topics

- A. E-Verify Considerations for Successor Employers Following Mergers and Acquisitions by Douglas D. Hauer, Francis E. Chin & Philip C. Curtis
- B. Don't Take it Personally: Why Everyone Needs to Understand E-Verify for Federal Contractors by L. Batya Schwartz Ehrens and Angelo A. Paparelli
- C. Demystifying Federal Contractor Obligations by L. Batya Schwartz Ehrens and Angelo A. Paparelli

VI. DHS Enforcement through ICE Raids and Audits

- A. Don't Wait for ICE to Knock on the Door: A Practical Guide to Preparing Employers for I-9 Compliance/Audits and Worksite Investigations (With Supplements: Sample Proposed I-9 Policy and

Procedures, Form I-9 Verification Procedures-Guidelines For Employers, and Checklist For I-9 Audit And Correction Guidelines) by Loan T. Huynh and Laura J. Danielson
B. Defending Companies and their Management Against Criminal Immigration Sanctions: The Centrality of Knowledge by Jay T. Jorgensen and Matthew J. Warren

VII. Specialty Topics

A. Preemption of State Immigration Laws After CPLC - What does the Future Hold? By Cynthia Lange and Justin Rymer
B. A New Remedy in ICE's Arsenal: Debarment by Michael J. Wildes
C. Social Security "No-Match" Letters: A Guide to Best Practices by Jason Burritt and Angelo A. Paparelli

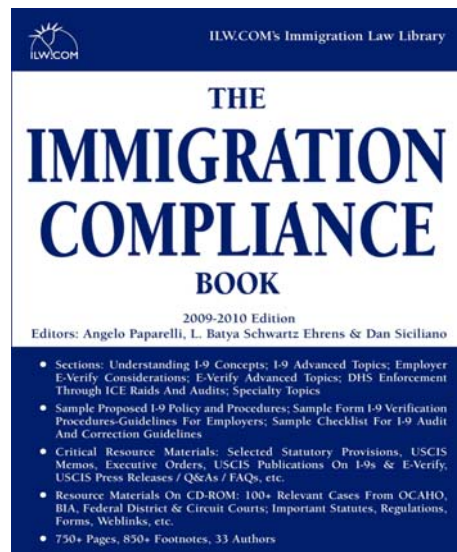
VIII. Resource Materials

A. Sections 402-405 of IIRIRA
B. Memorandum for the Heads of Executive Departments and Agencies from Rahm Emanuel, (January 20, 2008)
C. Amendment to Executive Order 12989 requiring federal contractors to use E-Verify - Executive Order 13465 Economy and Efficiency in Government Procurement through Compliance with Certain Immigration and Nationality Act Provisions and the Use of an Electronic Employment Eligibility Verification System (June 6, 2008)
D. Executive Order 12989 (February 13, 1996)
E. Final Rule mandating use of E-Verify by all Federal Contractors 73 Fed. Reg. 67651, Nov. 14, 2008 (to be codified at 48 C.F.R.pts. 2, 22, and 52)
F. Delay of Applicability of FAR until February 20, 2009 - 74 Fed. Reg.1937 (January 14, 2009).
Editor's note: The applicability of FAR was delayed twice to May 20, 2009 and June 20, 2009
G. US Chamber of Commerce announcement that litigants agreed to extend applicability of FAR to May 21, 2009 - Federal Government Again Delays Mandatory E-Verify Use for Government Contractors: Chamber Deal Postpones Rule for a Second Time
H. Adjudicator's Field Manual, AFM 23.2
I. Adjudicator's Field Manual, AFM 31.4
J. Memorandum from Paul Virtue, Act'g Exec. Assoc. Comm'r, Programs, to Field Offices, File No. HQ 70/6.2.5, 70/6.2.9, 70/6.2612, 70/23.1, 120/17.2, Considerations for Adjustment of Status (Aug. 5, 1997)
K. Memorandum by Robert L. Bach, INS Exec. Assoc. Comm'r, Office of Policy and Planning, AFM Update: Dual Intent Follow-up Guidance: H-1 and L-1; Pending Applications for Adjustment of Status, validity of nonimmigrant status, and the elimination of the advance parole requirement, File No. HQADJ 70/ 2.8.6, 2.8.12, 10.18 (March 16, 2000)
L. Memorandum by Michael D. Cronin, INS Act'g Ass't Comm'r, Office of Programs, AFM Update: Revision of March 14, 2000 Dual Intent Memorandum, File No. HQADJ 70/ 2.8.6, 2.8.12, 10.18 (Amended Version), AD 00-03 (May 25, 2000)
M. Memorandum by Michael L. Aytes, USCIS Assoc. Dir., Domestic Operations, Eligibility of Arriving Aliens in Removal Proceedings to Apply for Adjustment of Status and Jurisdiction to Adjudicate Applications for Adjustment of Status; Revisions to Adjudicator's Field Manual (AFM) Chapter 23.2(b), File No. HQDOMO 70/23.1 (January 12, 2007)
N. Handbook for Employers, M-274 (3553KB PDF) , Instructions For Completing Form I-9, USCIS (Rev. 04/03/09)
O. How Do I Complete Form I-9, Employment Eligibility Verification?, USCIS, (August 2008)
P. E-Verify User Manual For Employers (March 2009)
Q. E-Verify: Quick Reference Guide for Employers (March 2009)
R. E-Verify User Manual For Designated Agents (March 2009)
S. E-Verify: Quick Reference Guide For Designated Agents (March 2009)
T. E-Verify MOU for Employer [Revision Date 10/29/08]
U. Federal Contractors Required to Use E-Verify System, USCIS Press Release, 11/13/08
V. 100,000 Employers Use E-Verify Program, USCIS Press Release, 1/08/09
W. E-Verify Strengthening the Employment Eligibility Document Review Process for the Nation's Employers, USCIS Press Release, 01/08/2009

- X. USCIS Delays Rule Changing List of Documents Acceptable to Verify Employment Eligibility - Reopens Public Comment Period for 30 days, USCIS Press Release, 1/30/09
- Y. USCIS Adds Passport Data in E-Verify Process for Foreign-Born Citizens -Enhancement Reducing Tentative Nonconfirmations, USCIS Press Release, 03/04/09
- Z. Questions and Answers: Revised Form I-9, Employment Eligibility Verification, USCIS Press Release, 4/3/09
- AA. Frequently Asked Questions: Federal Contractors and E-Verify, USCIS Press Release, 4/17/09
- BB. 9 Foreign Affairs Manual 40.63
- CC. 9 Foreign Affairs Manual 40.63 Notes
- DD. 9 Foreign Affairs Manual 41.11
- EE. 9 Foreign Affairs Manual 41.11 Notes
- FF. STEM Designated Degree Programs List, ICE, 9/25/08
- GG. Office of Special Counsel for Immigration-Related Unfair Employment Practices "Look at the Facts. Not at the Faces"

X. RESOURCE MATERIALS ON CD-ROM

100+ Relevant Cases from OCAHO, BIA, Federal District & Circuit Courts; Important Statutes, Regulations, Forms, Weblinks, etc.



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Chapter 18: Vietnam

Ho Chi Minh City, (Consulate) By Marc Ellis

PART II. THEORY AND PRACTICE

Chapter 1: Introduction

A. Data-mining & Real-Time Enforcement: The Future Landscape of the Visa Process

Chapter 2: New Attorney Vulnerabilities in International Practice

- A. Prominent Lawyers Prosecuted for Money Laundering and Obstruction
- B. FBI/DHS Task Force Sting Operation Nets a Leader of the Criminal Bar
- C. The Loss of Attorney-Client Privilege in International Representation
- D. New FISA: H.R. 6304 Blanket Authorizations for Surveillance of International Communications
- E. Section 1801(h) - "Minimization" and exception for "evidence of a crime"
- F. New FISA illustration
- G. Sec. 1806 - The Minimization Loophole
- H. The al-Haramain Case - Targeted Surveillance of Attorney-Client Communications
- I. DOL Audits All Labor Certifications Submitted by Major Immigration Law Firm
- J. International Lawyer: Gatekeeper, Adversary or Defendant?
- K. Expanding View of Attorney Culpability and Mandatory Due Diligence Requirements
- L. Sarbanes-Oxley
- M. Department of Justice Targeting of Gatekeepers
- N. Enhanced Federal Enforcement and Revised Sentencing Penalties for Compliance Violations
- O. Federal Sentencing Guidelines - Up, Up and Away
- P. 2003 Department of Justice Guidelines
- Q. Further Erosion of Attorney-Client Privilege for Corporate Counsel
- R. Mandatory Disclosure of Representation, and Attorney Certification of Accuracy in all Represented Matters - The Future of Immigration Law?
- S. The End of Employer-sponsored Immigration?
- T. 50 USC, Chapter 36, Subchapter I, Sec. 1806, Foreign intelligence Surveillance,

- Subchapter I - Electronic Surveillance, Use Of Information
- U. Sec. 805. Review of Federal Sentencing Guidelines For Obstruction Of Justice And Extensive Criminal Fraud

Chapter 3: Trade and Immigration Tightening? NAFTA, WTO, GATS Soup to Nuts

- A. Prospects for Changing Immigration, Surveillance and Global Trade Policies under the Obama Administration
- B. Comprehensive Immigration Reform (CIR) and DHS Cost-cutting: But, Not Very Comprehensive Reform and Selective Cutting of Enforcement Budgets
- C. Post-FISA Surveillance: When Your Client Calls From Overseas, Uncle Sam is on the line
- D. The NAFTA Super-Highway Meets a Roadblock
- E. Shift to Interior Enforcement - Mandatory E-Verify
- F. H-1B and L-1 Programs Under Siege
- G. Release from Detention for CIR-eligible Aliens
- H. The Bottom-Line Calculus in Business Immigration and Free Trade Policy
- I. Obama: Changes to H-1B Seen as Part of Comprehensive Immigration Reform
- J. Congress: Revolt Against Off-Shoring
- K. WTO/GATT/GATS Reconsidered
- L. Will the "GATS Visa" Replace H-1B?

Chapter 4: Tips for Avoiding B-1/B-2 Visa Denials and Correcting other Refusal Issues with the Consul

- A. Common Reasons B-1/B-2 Visas Are Denied - INA Section 214(b), INA Section 221(g)
- B. Overcoming 221(g) Refusals and Related Grounds for Denial - Interpretation of Notices of Denial
- C. Reapplication - Section 214(b) Factors Favoring Approval Upon Reapplication
- D. Short-term Business and Tourism Visa Refusal Rates, by Country, Fiscal Year 2007 Table

Chapter 5: The Visa Waiver Program (VWP): Not As Simple and Easy As It Looks

- A. VWP Expansion
- B. New VWP Procedures
- C. Criminal History Issues
- D. Terrorism, Security and Related Issues
- E. Rules for B-1/B-2 Visitors and VWP
- F. ESTA Visa Waiver Application Illustration
- G. Form I-94 Illustration
- H. Form DS 156/157 Illustration
- I. Supplemental Form DS 157 Illustration
- J. US VISIT Biometrics and Traveler Information
- K. 9 FAM 40.21 Notes (Sec. 212 Inadmissability - Criminal Determinations)

Chapter 6: Non-Immigrant Classes and Their U.S. Tax Obligations

- A. Generally
- B. Your status as a tax resident - U.S. tax resident, Non-Resident Alien (NRA), or dual-status - determines whether and how you must file an income tax return.
- C. Two tests for tax residency
- D. FICA Tax and Totalization Agreements
- E. Tax Considerations for B-1, E-1/E-2, H-1B, L-1, and O Visa Holders
- F. 2007 Filing Requirements Chart for Most Taxpayers
- G. Visas and Taxes At a Glance

Chapter 7: E-1/E-2 Treaty Traders and Treaty Investors

- A. The principal applicant (whether a natural person or corporation), along with any employee seeking to enter on a E-visa, must be a national of the same treaty country.
- B. The international trade must be "substantial" in the sense that there is a sizable and continuing volume of trade (E-1)
- C. Valuation of investment (E-2)
- D. Commercial Enterprise (E-2)
- E. Substantiality Test (E-1/E-2)
- F. Proportionality Test (E-2)
- G. Continued "Course of Trade" (E-1)
- H. Possession and Control of Funds (E-2)
- I. Lawful Source of Funds (E-1/E-2)
- J. Tax Considerations for E-1/E-2 Visa Holders
- K. Applying for the Visa - Required Documentation
- L. E-Treaty Countries

Chapter 8: The Consular Role in L-1 Blanket Petitions

- A. Basic Requirements
- B. Procedures
- C. Where to File for the Visa
- D. What to File
- E. Who's Eligible to File
- F. Professional Occupation Requirement for the L-1B Blanket Petition
- G. Period of Admission-Initial Entry and Extensions of Stay
- H. Amended Petitions and Transfers

Chapter 9: H-1B "Dependent Employees": From Labeling to Lawbreaking

- A. The Electronic Dragnet: H-1B and L-1 Data-mining
- B. LCA Enforcement: DOL Gets "A Piece of the Action"
- C. Who is an H-1 Dependent Employer? (USDOL)
- D. 20 CFR 655.736 - What are H-1B-dependent employers and willful violators? (USDOS)

Chapter 10: Temporary Assignment of H-1B Employees to Client Work Sites

- A. Discussion
- B. Short-term Placements: A Question of Time
- C. The Roving Employee
- D. Long-Term Placements: A Question of Control

Chapter 11: State Department Name-Checks and Security Advisory Opinions (SAOs)

- A. The SAO Data-mining trigger
- B. CLASS Lookout System
- C. Visas Condor SAO
- D. Visas Eagle Mantis and Visas Donkey Mantis SAOs
- E. Guidelines for Visas Eagle Mantis and Donkey Categories
- F. Sample Reciprocity Schedule, Index to Available Documents, SAO Requirements, and Country-specific Footnotes (IRAN)
- G. Sample Employment Letters (SAO-related)

Chapter 12: ICE Data-Mining and Federal Benefits Fraud Task Forces - Send In the Marines: Best Practices to Survive Audits and Task Forces

- A. Avoiding and Surviving Immigration Benefits Fraud Investigations
- B. Surging Immigration Fraud Investigations
- C. Fraud Prosecutions of Immigration Lawyers
- D. The Immigration Bar Begins to Recognize Risks
- E. Federal Fraud Statutes Related to Immigration
- F. Federal Perjury Statutes, Title 18
- G. Federal Obstruction of Justice Statutes, Title 18
- H. Federal Task Force Investigations of Immigration Benefits Fraud
- I. Prosecutions of Immigration Fraud Crimes Committed Years Earlier
- J. Selective Prosecutions of Targeted Nationality Groups
- K. H-1B Enforcement and ICE Random Fraud Audits
- L. Government Data Mining of Immigration and Consular Applications
- M. Due Diligence and Ethical Duties for Immigration Attorneys in the Age of Data- Mining and Warrant less Intercepts
- N. Rules Governing the Client-Lawyer Relationship
- O. Defensive Due Diligence and Preventative Attorney and Client Self-Audits
- P. Essential Due Diligence for Immigration Practitioners
- Q. Why Perform Due Diligence?
- R. How Much Due Diligence is due?
- S. The Risk Grid Illustration
- T. Politically Exposed Persons (PEPs)
- U. Required Elements of a Customer Identification Program (CIP)
- V. Specially Designated Nationals List (SDN)
- W. Sample Commercial Watch List Aggregation Services
- X. Government Data Mining of Immigration and Consular Applications
- Y. Federal Data Mining Processes Illustration
- Z. Background Checks of Non-Immigrants and Immigrant Visa Applicants - Who Gets Checked, How it Gets Checked, and What to Expect
- AA. USCIS/DOS Data Collection, Analysis and Dissemination Systems
- BB. Treasury Enforcement Communication System/ Interagency Border Inspection System (TECS/IBIS)("IBIS")
- CC. FBI Fingerprint Check
- DD. FBI Name Check
- EE. Fraud Detection and National Security Data System (FDNS-DS)
- FF. Law Enforcement Analytic Data System (NETLEADS)
- GG. ICE Pattern Analysis and Information Collection System (ICEPIC)
- HH. National Immigration Information Sharing Office (NIISO)
- II. Financial Crimes Enforcement Network (FinCEN) and BSA Direct
- JJ. Intelligence and Information Fusion (I2F)
- KK. Categories of Information Collected from Immigration Applications

Chapter 13: What to do if Your Client's Visa is Denied: Visa Office Advisory Opinions

- A. Jurisdiction - Court of Last Appeal for Visa Denials
- B. Ripeness and Standing
- C. Visa Office Inquiry Procedures
- D. Inside The Visa Office - Who Decides?

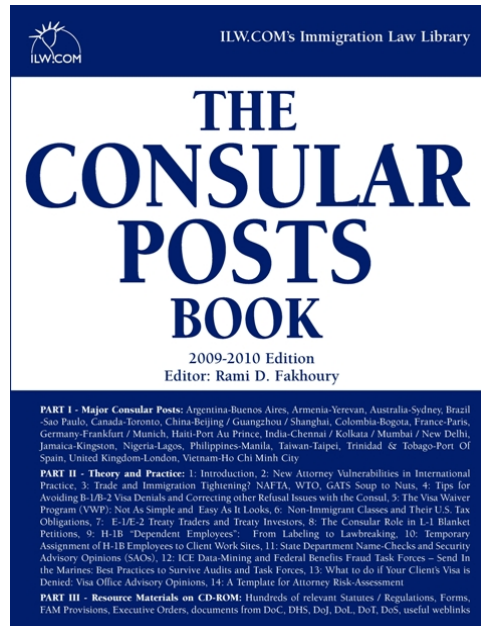
Chapter 14: A Template for Attorney Risk-Assessment

- A. Develop a Risk Management Profile to Identify Clients, Matters and Counter-parties with a High Risk
- B. How a Law Firm Can Reduce Risks Associated With Client Fraud

- C. Potential Benefits Fraud and Money Laundering
- D. Client Indicators of High-Risk - Corporate Ownership and Control Issues
- E. Red Flags & Triggers for Investigation of Client Money Laundering and Terrorist Finance
- F. The Red Flags of Client Criminal Activity or Terrorism
- G. Data-mining Inputs and Outputs Illustration
- H. Know Your Client - Red Flags of Criminal Activities
- I. A Note on Client Fees: Indicators That Something May be Wrong
- J. DHS Cornerstone Program: Red Flags of Money-Laundering Activities
- K. IRS "John Doe" Summons for Offshore Credit Card Records
- L. Profiling
- M. Who gets Profiled
- N. DHS Cornerstone Program - Red Flags for Enforcement Action
- O. Recent ICE/BCE Interagency Task Force Enforcement Activity

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US Tax Compliance For Immigrants And Employers: The Lawyer's Complete Guide

Editor: Paula N. Singer, Esq.

Contributing Author: Gary P. Singer

PART I. INTERNATIONAL ASPECTS OF INDIVIDUAL U.S. TAX RETURNS

Chapter 1. Introduction

- 1.1 Immigration Basics
- 1.2 U.S. Tax Residency Rules
- 1.3 Conflicting Definitions of "Resident" and "Nonresident"
- 1.4 Impact of Incorrect Returns on Immigration Benefits

Chapter 2. Who Must File, What, and When?

- 2.1 U.S. Citizens and Residents
- 2.2 Nonresidents
- 2.3 Dual-Status Taxpayers
- 2.4 Sailing Permit Requirement
- 2.5 Income from U.S. Possessions
- 2.6 Taxpayer Identification Numbers
- 2.7 Tax Year
- 2.8 Due Dates
- 2.9 Where to File
- 2.10 Payments
- 2.11 Timely Filing and Paying
- 2.12 Amended Returns
- 2.13 Designees and Agents
- 2.14 Form 1042 and 1042 S Filing Obligations

Chapter 3. Resident or Nonresident?

- 3.1 Residency Status Based on Immigrant Status
- 3.2 Residency Status Based on U.S. Presence
- 3.3 The Closer Connection Exception
- 3.4 U.S. Days That Do Not Count
- 3.5 Exempt Individuals
- 3.6 Foreign Government-Related Individuals
- 3.7 Teachers and Trainees
- 3.8 Students
- 3.9 Changing to Another Nonimmigrant Status
- 3.10 Individuals from Former Trust Territories

Chapter 4. Residency Start and End Dates

- 4.1 Residency Start Date
- 4.2 Residency Termination Date
- 4.3 Residency Start and End Dates for Immigrants

Chapter 5. Residency and Nonresidency Elections

- 5.1 First-Year-Choice Election
- 5.2 Residency Election Based on Marriage
- 5.3 Residency Election Based on a Tax Treaty
- 5.4 The Closer Connection Extension
- 5.5 Nonresidency Election Under a Treaty Tie-Breaker Rule

Chapter 6. Tax Returns for Citizens and Residents

- 6.1 Currency Translations
- 6.2 Real Estate Transactions

- 6.3 Travel Expenses
- 6.4 Foreign Retirement Plans
- 6.5 Filing Status and Personal Exemptions
- 6.6 Deductions, Adjustments, and Credits
- 6.7 Avoidance of Double Taxation
- 6.8 Treaty Claims
- 6.9 Dual-Status Taxpayers

Chapter 7. Tax Returns for Nonresidents

- 7.1 U.S.-Source Income
- 7.2 Fixed or Determinable Income
- 7.3 Effectively Connected Income
- 7.4 Filing Status and Personal Exemptions
- 7.5 Deductions, Adjustments, and Credits
- 7.6 Form 1040NR or 1040NR-EZ
- 7.7 Form 8843 Requirement
- 7.8 Treaty Claims by Nonresidents
- 7.9 E-filing

Chapter 8. Required Disclosures

- 8.1 Foreign Financial Accounts
- 8.2 Cross-Border Asset Transfers
- 8.3 Ownership Interests in Certain Foreign Entities
- 8.4 Other Disclosures

Chapter 9. Expatriate Returns

- 9.1 Section 911 Foreign-Earned Income Exclusions
- 9.2 Qualifying Taxpayers
- 9.3 Foreign-Earned Income
- 9.4 The Foreign-Earned Income Exclusion
- 9.5 The Housing-Cost Exclusion/Deduction
- 9.6 Exclusions for Certain Employer-Provided Housing
- 9.7 Impact on State Income Taxes

Chapter 10. Tax Treaty Benefits

- 10.1 How Tax Treaties Work
- 10.2 Articles Conferring Benefits
- 10.3 Impact of U.S. and Foreign Residency Status
- 10.4 Earnings from Personal Services
- 10.5 Treaty Benefits for Scholarships and Fellowships
- 10.6 Treaty Benefits for Retirement Payments and Contributions
- 10.7 Treaty Benefits for Social Security Payments
- 10.8 Treaty Benefits for FDAP Income
- 10.9 Form 8833 Requirement
- 10.10 Competent Authority

Chapter 11. Tax Expatriates

- 11.1 Expatriation After June 3, 2004
- 11.2 Expatriation on or Before June 3, 2004
- 11.3 Form 8854
- 11.4 Expatriation Tax

Chapter 12. Social Security and Medicare Taxes

- 12.1 Employment Performed Abroad
- 12.2 U.S. Self-Employment Tax
- 12.3 Social Security and Medicare Tax Refunds
- 12.4 Refund of NRA Taxes Withheld in Error on Benefits

Chapter 13. State Income Tax Returns

- 13.1 State Tax Residency Status
- 13.2 State Residents Working Abroad
- 13.3 Income Tax Treaty Exemptions

Chapter 14. Taxpayer Identification Numbers

- 14.1 Individuals Eligible for ITINs
- 14.2 Documentation Requirements
- 14.3 Application Submission Procedures
- 14.4 Pre-Tax Return Submissions
- 14.5 Acceptance Agents
- 14.6 Acceptance Agent Application Procedures

Chapter 15. Common Mistakes to Avoid

- 15.1 Filing the wrong tax return
- 15.2 Filing using married-filing-jointly status incorrectly
- 15.3 Failing to include all income in the return
- 15.4 Claiming incorrect personal exemptions.
- 15.5 Incorrectly claiming a tax treaty benefit
- 15.6 Claiming improper temporarily-away-from-home expense deductions
- 15.7 Excluding certain taxable capital gains on stock sales on Form 1040NR
- 15.8 Failing to file disclosure forms
- 15.9 Failing to file a federal tax return
- 15.10 Failing to file a state income tax return

Chapter 16. Resources

- 16.1 Websites
- 16.2 IRS Publications

PART II. A GUIDE FOR FILING IRS FORMS 1042 AND 1042-S

Chapter 1. Introduction to Forms 1042 and 1042-S

- 1.1 Withholding Agent Obligations
- 1.2 Who Must File Form 1042-S
- 1.3 Reporting Rules for Form 1042 S
- 1.4 Interest Payments to Residents of Canada
- 1.5 Form 1042 S Information
- 1.6 Taxpayer Identification Number Requirement
- 1.7 Foreign Address Requirement
- 1.8 Form 1042 S Recipient Rules
- 1.9 Multiple Withholding Agent Rule
- 1.10 Form 1042 S Vendor List

Chapter 2. When to File Forms 1042 and 1042-S

- 2.1 Timely Filed Returns
- 2.2 Extending the Time to File
- 2.3 Penalty for Failure to Timely File Forms 1042-S

Chapter 3. How and Where to File Forms 1042-S

- 3.1 Submitting Paper Forms 1042-S
- 3.2 Form 4419: Applying to File Information Returns Electronically
- 3.3 Applying for a Waiver from Filing Electronically
- 3.4 New Instructions for Filing Electronically
- 3.5 Submitting Forms 1042-S Electronically
- 3.6 Providing Form 1042-S Recipient Statements
- 3.7 Retention of Forms 1042-S

Chapter 4. Preparing Electronic Files

- 4.1 Test Files
- 4.2 Original Files
- 4.3 Common Form 1042-S Processing Errorsv 4.4 TIN Requirement
- 4.5 Replacement Files
- 4.6 Amended Files

Chapter 5. Filing Electronically

- 5.1 Preparing the File
- 5.2 Connecting to the FIRE System
- 5.3 Electronic Requests for Extension of Time to File
- 5.4 The Most Common Problems of Electronic Filers

Chapter 6. Service Center Processing and Validity Checks

- 6.1 Validation of Recipient "Q" Record Fields
- 6.2 Validation of Form 1042-S Data
- 6.3 Validation of "T," "W," "C," and "F" Records
- 6.4 Validation of Extension of Time Records

Chapter 7. Correcting Errors

- 7.1 Making Paper Corrections
- 7.2 Making Electronic Corrections
- 7.3 Correcting Forms 1042-S Recipient Statements

Chapter 8. Depositing Withheld Taxes

- 8.1 Frequency of Deposits
- 8.2 Making Deposits
- 8.3 EIN Requirement
- 8.4 Timely Deposits
- 8.5 Penalty for Late Deposits
- 8.6 Adjusting for Over Withholding

Chapter 9. Form 1042 Tax Return

- 9.1 Extending the Time to File Form 1042
- 9.2 Penalties and Interest
- 9.3 Amended Form 1042

Chapter 10. A Strategy for Filing Forms 1042 and 1042-S

- 10.1 File Electronically
- 10.2 Request a TCC Number for Form 1042-S Submissions
- 10.3 Inform Recipients to Expect Their Form 1042-S Recipient Statements
- 10.4 Prepare Form 1042-S Recipient Statements Early
- 10.5 Provide Form 1042-S Recipient Statements with Multiple Income Lines
- 10.6 Request an Extension of Time to File Your IRS Submission
- 10.7 Request an Extension of Time to Submit Your Form 1042
- 10.8 Do Not Request an Extension of Time to Furnish Form 1042 S Recipient Statements
- 10.9 Review Your File for Errors Before Submitting It to the IRS

Chapter 11. Contacting IRS/ECC-MTB

- 11.1 Information Reporting Program/Customer Service Section
- 11.2 Numbers and Sites for Other Information

PART III. U.S. TAXATION OF H-1B SPECIALTY WORKERS

Chapter 1. Introduction

- 1.1 Work Authorization
- 1.2 Taxpayer Identification Number

Chapter 2. U.S. Tax Residency Rules

- 2.1 Residency Status Based on U.S. Presence
- 2.2 Nonresidency Status Claims Based on an Income Tax Treaty

Chapter 3. Residency Start and Termination Dates

- 3.1 Residency Start Date
- 3.2 Tax Residency Elections
- 3.3 Residency Termination Date

Chapter 4. Changes to H 1B Status

- 4.1 Change of Status from J 1 Nonstudent to H-1B
- 4.2 Changes from F 1 or J 1 Student Status

Chapter 5. Federal Income Tax Rules

- 5.1 Tax Rules for Nonresidents
- 5.2 Tax Rules for Residents
- 5.3 Tax Rules for Dual-Status Aliens
- 5.4 Stock Ownership in a Foreign Corporation

Chapter 6. Income Tax Treaty Benefits

- 6.1 U.S.-Source Income
- 6.2 Employment Compensation
- 6.3 Compensation of Teachers and Researchers
- 6.4 Special Considerations for Research Scholars

Chapter 7. State Income Taxes

- 7.1 Domicile
- 7.2 Residence
- 7.3 State Tax Rules
- 7.4 Income Tax Treaty Exemptions

Chapter 8. Withholding and Reporting

- 8.1 Benefits in Kind
- 8.2 Special Withholding Rules for Nonresidents
- 8.3 Treaty-Exempt Compensation
- 8.4 Social Security and Medicare Taxes
- 8.5 State Income Taxes

Chapter 9. U.S. Tax Returns

- 9.1 Sailing Permit Requirement
- 9.2 Federal Tax Return
- 9.3 Treaty Claims
- 9.4 State Tax Returns

Chapter 10. Individual Taxpayer Identification Numbers

- 10.1 Individuals Eligible for ITINs
- 10.2 Documentation Requirements
- 10.3 Application Submission Procedures
- 10.4 Acceptance Agents
- 10.5 Acceptance Agent Application Procedures

Chapter 11. Resources

- 11.1 Websites
- 11.2 IRS Publications

PART IV. U.S. TAXATION OF B-1 BUSINESS VISITORS

Chapter 1. Introduction

- 1.1 Work Authorization
- 2.2 Taxpayer Identification Number

Chapter 2. Payments to B Visitors

- 2.1 Reimbursed Business Expenses
- 2.2 B Honoraria
- 2.3 Directors' Fees
- 2.4 Payments to Accompanying Servants

Chapter 3. U.S. Tax Residency Rules

- 3.1 Residency Status Based on U.S. Presence
- 3.2 Nonresidency Status Claims Based on an Income Tax Treaty
- 3.3 Residency Start Date
- 3.4 Residency Termination Date

Chapter 4. Federal Income Tax Rules

- 4.1 Commercial Traveler Rule
- 4.2 U.S.-Source Income
- 4.3 Effectively Connected Income
- 4.4 Income Tax Treaty Exemptions
- 4.5 Compensation Paid to Certain Residents of Canada or Mexico.
- 4.6 Compensation of Employees of Foreign Governments or International Organizations
- 4.7 Withholding and Reporting on Payments for Services
- 4.8 Nonresident Tax Return
- 4.9 B-1 Visitors Who Become Residents
- 4.10 Tax Rules for Dual-Status Aliens
- 4.11 Stock Ownership in Foreign Corporations

Chapter 5. Payments to a Foreign Corporation for U.S. Services

- 5.1 Income Effectively Connected to a U.S. Trade or Business
- 5.2 Payments to a Foreign Corporation for Services
- 5.3 Combined Payments
- 5.4 Personal Holding Companies
- 5.5 Exemption from Withholding Under an Income Tax Treaty
- 5.6 Exemption for Payments to Foreign Tax-Exempt Organizations

Chapter 6. Payments for Self-Employment Services

- 6.1 Required Withholding Taxes and Reporting
- 6.2 Lack of a Valid Withholding Certificate
- 6.3 Exemption from Withholding Under an Income Tax Treaty
- 6.4 Payments to Agents and Intermediaries

Chapter 7. Social Security and Medicare Taxes

- 7.1 Exemption from Tax Under a Social Security Agreement
- 7.2 Self-Employment Tax

Chapter 8. State Income Taxes

- 8.1 Domicile
- 8.2 Residence
- 8.3 State Tax Rules
- 8.4 Income Tax Treaty Exemptions

Chapter 9. Individual Taxpayer Identification Numbers

- 9.1 Individuals Eligible for ITINs
- 9.2 Documentation Requirements
- 9.3 Application Submission Procedures

- 9.4 Acceptance Agents
- 9.5 Acceptance Agent Application Procedures

Chapter 10. Resources

- 10.1 Websites
- 10.2 IRS Publications

PART V. U.S. TAXATION OF FOREIGN STUDENTS

Chapter 1. Introduction

- 1.1 Student Immigration Categories
- 1.2 Students in Other Immigration Categories
- 1.3 Work Authorization
- 1.4 Social Security Numbers
- 1.5 Payments to Foreign Students

Chapter 2. U.S. Tax Residency Rules

- 2.1 Residency Status Based on U.S. Presence
- 2.2 U.S. Days That Do Not Count
- 2.3 Exempt Individuals
- 2.4 Closer Connection to a Foreign Country
- 2.5 Residency Start and Termination Dates
- 2.6 Tax Residency Elections
- 2.7 Changing to Another Nonimmigrant Status
- 2.8 Foreign Students Married to a U.S. Citizen or Immigrant

Chapter 3. Federal Income Tax Rules

- 3.1 Tax Rules for Tax Nonresidents
- 3.2 Tax Rules for Tax Residents
- 3.3 Tax Rules for Dual-Status Aliens

Chapter 4. Compensation for Services

- 4.1 Benefits in Kind
- 4.2 Distinguishing Compensation from Other Payments
- 4.3 Source of Income for Services
- 4.4 Special Withholding Rules for Tax Nonresidents
- 4.5 Social Security and Medicare Taxes

Chapter 5. Scholarships and Fellowships

- 5.1 Grants Requiring Services
- 5.2 Distinguishing Scholarships and Fellowships
- 5.3 Source of Income from Grants
- 5.4 Qualified Scholarships and Fellowships
- 5.5 Qualified Tuition Reductions
- 5.6 Nonqualified Scholarships
- 5.7 Taxation of Nonqualified Scholarships and Fellowships
- 5.8 Making Tax Deposits
- 5.9 Reporting Requirements
- 5.10 Other Students

Chapter 6. Income Tax Treaty Benefits

- 6.1 How Tax Treaties Work
- 6.2 Remittances and Allowances from Abroad
- 6.3 Benefits for Scholarship and Fellowship Grants
- 6.4 Benefits for Compensation for Services
- 6.5 Unique Benefits for Certain Foreign Students

- 6.6 Benefits for Other Types of Income
- 6.7 Withholding Certificates for Treaty Exempt Income

Chapter 7. Form 1042 and 1042 S Reporting

- 7.1 Form 1042 S Information Return
- 7.2 Coordinating Form 1042-S with Form W 2 Reporting
- 7.3 Form 1042 Tax Return

Chapter 8. State Income Taxes

- 8.1 Domicile
- 8.2 Residence
- 8.3 State Tax Rules
- 8.4 Income Tax Treaty Exemptions

Chapter 9. U.S. Tax Returns

- 9.1 Federal Tax Returns for Tax Nonresidents
- 9.2 Elections
- 9.3 Federal Tax Returns for Tax Residents
- 9.4 Dual-Status Tax Return
- 9.5 VITA Programs
- 9.6 Sailing Permit Requirement
- 9.7 State Tax Returns

Chapter 10. Individual Taxpayer Identification Numbers

- 10.1 Individuals Eligible for ITINs
- 10.2 Documentation Requirements
- 10.3 Application-Submission Procedures
- 10.4 Acceptance Agents
- 10.5 Acceptance Agent Application Procedures

Chapter 11. Resources

- 11.1 Websites
- 11.2 IRS Publications

PART VI. L-1 INTRACOMPANY TRANSFEREES ON U.S. ASSIGNMENT

Chapter 1. Introduction

- 1.1 Work Authorization
- 1.2 Taxpayer Identification Numbers

Chapter 2. U.S. Tax Residency Rules

- 2.1 Residency Status Based on U.S. Presence
- 2.2 Nonresidency Status Claims Based on an Income Tax Treaty

Chapter 3. Residency Start and Termination Dates

- 3.1 Residency Start Date
- 3.2 Tax Residency Elections
- 3.3 Residency Termination Date

Chapter 4. Federal Income Tax Rules

- 4.1 Tax Rules for Nonresidents
- 4.2 Tax Rules for Residents
- 4.3 Tax Rules for Dual-Status Aliens
- 4.4 Stock Ownership in a Foreign Corporation

Chapter 5. Income Tax Treaty Benefits

- 5.1 U.S.-Source FDAP Income

- 5.2 Employment Compensation
- 5.3 Pension Contributions

Chapter 6. State Income Taxes

- 6.1 Domicile
- 6.2 Residence
- 6.3 State Tax Rules
- 6.4 Income Tax Treaty Exemptions

Chapter 7. Withholding and Reporting

- 7.1 Temporarily-Away-From-Home Expenses vs. Relocation Expenses
- 7.2 Other Payments
- 7.3 Federal Income Tax Withholding
- 7.4 Social Security and Medicare Taxes
- 7.5 State Income Taxes

Chapter 8. U.S. Tax Returns

- 8.1 Sailing Permits
- 8.2 Federal Tax Returns
- 8.3 State Tax Returns

Chapter 9. Individual Taxpayer Identification Numbers

- 9.1 Individuals Eligible for ITINs
- 9.2 Documentation Requirements
- 9.3 Application Submission Procedures
- 9.4 Acceptance Agents
- 9.5 Acceptance Agent Application Procedures

Chapter 10. Resources

- 10.1 Websites
- 10.2 IRS Publications

PART VII. WHAT YOU NEED TO KNOW ABOUT EXCHANGE VISITORS

Chapter 1. Introduction

- 1.1. Program Participants
- 1.2 J Program Categories
- 1.3 Admission Procedures
- 1.4 Documentation Requirements
- 1.5 Two-Year Home Residency Requirement
- 1.6 Other Requirements

Chapter 2. Work Authorization

- 2.1 J 1 Students
- 2.2 J 1 Non-Students
- 2.3 J 2 Dependents
- 2.4 Employment Eligibility Verification

Chapter 3. U.S. Income Taxes

- 3.1 Taxation of Residents
- 3.2 Taxation of Nonresidents
- 3.3 Federal Tax Returns
- 3.4 State Income Taxes

Chapter 4. Employment Taxes

- 4.1 Special Rules for Nonresidents

- 4.2 Social Security and Medicare Exemptions
- 4.3 Au Pairs

Chapter 5. Income Subject to Tax

- 5.1 Compensation for Services
- 5.2 Source of Income for Services
- 5.3 Scholarship and Fellowship Grants
- 5.4 Prizes and Awards
- 5.5 Royalties

Chapter 6. Resident or Nonresident?

- 6.1 Days That Do Not Count
- 6.2 Exempt Individuals
- 6.3 The Closer-Connection Exception
- 6.4 Residency Start and Termination Dates

Chapter 7. Tax Administration

- 7.1 Employment Compensation
- 7.2 Self-Employment Income
- 7.3 Scholarship and Fellowship Grants
- 7.4 Wage-Withholding Election
- 7.5 Personal Exemption Amount Reduction
- 7.6 Travel-Expense Reimbursements
- 7.7 U.S. AID Per Diems
- 7.8 Other Income Payments
- 7.9 Depositing Withheld Taxes
- 7.10 U.S. Taxpayer Identification Numbers
- 7.11 Form 1042 Tax Return

Chapter 8. Tax Treaty Benefits

- 8.1 Taxes Covered
- 8.2 Tax Residency Requirement
- 8.3 Income Eligible for Benefits
- 8.4 Benefit Limitations
- 8.5 IRS Policy Limitations
- 8.6 Saving Clause and Exceptions
- 8.7 Treaty Claims
- 8.8 Reporting

Chapter 9. Resources

- 9.1 Websites
- 9.2 IRS Publications

PART VIII. J-1 NON-STUDENT EXCHANGE VISITORS PERFORMING U.S. SERVICES

Chapter 1. Introduction

- 1.1 Work Authorization
- 1.2 Taxpayer Identification Numbers

Chapter 2. U.S. Tax Residency Rules

- 2.1 Residency Status Based on U.S. Presence
- 2.2 U.S. Days That Do Not Count
- 2.3 Two-out-of-Seven Calendar-Year Rule
- 2.4 Nonresidency Under the Closer Connection Exception
- 2.5 Nonresidency Status Based on an Income Tax Treaty

Chapter 3. Residency Start and Termination Dates

- 3.1 Residency Start Date
- 3.2 Tax Residency Elections
- 3.3 Residency Termination Date

Chapter 4. Changing to Another Immigration Status

- 4.1 Changes to H-1B Status
- 4.2 Changes to F-1 or J-1 Student Status

Chapter 5. Federal Income Tax Rules

- 5.1 Tax Rules for Tax Nonresidents
- 5.2 Tax Rules for Tax Residents
- 5.3 Tax Rules for Dual-Status Aliens
- 5.4 Stock Ownership in a Foreign Corporation

Chapter 6. Income Tax Treaty Benefits

- 6.1 How Tax Treaties Work
- 6.2 Fellowship Grant vs. Compensation
- 6.3 Student/Trainee Articles
- 6.4 Teacher/Researcher Articles
- 6.5 Income from Self-Employment Article
- 6.6 Income from Employment Article

Chapter 7. State Income Taxes

- 7.1 Domicile
- 7.2 Residence
- 7.3 State Tax Rules
- 7.4 Income Tax Treaty Exemptions

Chapter 8. Withholding and Reporting

- 8.1 Benefits in Kind
- 8.2 Special Withholding Rules for Tax Nonresidents
- 8.3 Treaty-Exempt Income
- 8.4 Social Security and Medicare Taxes
- 8.5 State Income Taxes

Chapter 9. J 1 Nonstudents Paid by a Foreign Employer

- 9.1 Section 872(b)(3) Exceptions
- 9.2 Commercial Traveler Exception
- 9.3 Social Security and Medicare Taxes

Chapter 10. U.S. Tax Returns

- 10.1 Sailing Permit Requirement
- 10.2 Federal Tax Return
- 10.3 Treaty Claims
- 10.4 State Tax Returns

Chapter 11. Individual Taxpayer Identification Numbers

- 11.1 Individuals Eligible for ITINs
- 11.2 Documentation Requirements
- 11.3 Application Submission Procedures
- 11.4 Acceptance Agents
- 11.5 Acceptance Agent Application Procedures

Chapter 12. Resources

- 12.1 Websites
- 12.2 IRS Publications

PART IX. TAX TREATY BENEFITS FOR FOREIGN NATIONALS PERFORMING U.S. SERVICES

Chapter 1. Introduction

- 1.1 Source of Authority
- 1.2 The Treaty Negotiation Process
- 1.3 Current U.S. Income Tax Treaties
- 1.4 Application to Territories
- 1.5 Where to Find Tax Treaties
- 1.6 Treaty Interpretations
- 1.7 Competent Authority

Chapter 2. Treaty Structure

- 2.1 Treaty Terms
- 2.2 How Tax Treaties Work
- 2.3 Articles Conferring Benefits
- 2.4 Other Provisions Limiting Benefits

Chapter 3. Residency

- 3.1 Tax Residence
- 3.2 Residency Definition
- 3.3 Dual Residents
- 3.4 Timing of Treaty Country Residence
- 3.5 Saving Clause
- 3.6 Exceptions to the Saving Clause

Chapter 4. Taxes Covered

- 4.1 Definition
- 4.2 Social Security Taxes
- 4.3 State Income Taxes

Chapter 5. Special Tax Rules

- 5.1 Remittance Tax Rule
- 5.2 Withholding Provisions
- 5.3 Computation of Tax

Chapter 6. Income from Self-employment and Employment

- 6.1 Income from Self-employment
- 6.2 Income from Self-employment Treated as Business Profits
- 6.3 Honoraria
- 6.4 Directors' Fees
- 6.5 Income from Employment
- 6.6 Income from Stock Options
- 6.7 International Shipping and Air Transportation
- 6.8 Technical Workers from India
- 6.9 Governmental Service
- 6.10 Pension Payments
- 6.11 Relationship to Other Articles

Chapter 7. Artists and Athletes

- 7.1 Scope of Tax Exemption
- 7.2 Amounts Covered
- 7.3 Limitations
- 7.4 Special Rules for Canadian Athletes
- 7.5 Relationship to Other Articles
- 7.6 Withholding Requirements

Chapter 8. Students and Trainees

- 8.1 Payments from Abroad
- 8.2 Purpose of the Visit
- 8.3 Fellowship Grant vs. Compensation
- 8.4 Educational Institution Requirement
- 8.5 Treaty Exempt Compensation
- 8.6 Limitations
- 8.7 Successive Student/Trainee Article Benefits
- 8.8 Student/Trainee Article Benefits Following Teacher/Researcher Article Benefits
- 8.9 Residency Election
- 8.10 Students and Apprentices from India
- 8.11 Scholarships and Fellowships
- 8.12 Relationship to Other Articles

Chapter 9. Professors, Teachers, and Researchers

- 9.1 Purpose of the Visit
- 9.2 Institution Where Teaching or Research Takes Place
- 9.3 Limitations
- 9.4 Unique Benefit Periods
- 9.5 Teacher/Researcher Article Benefits Following Student/Trainee Article Benefits
- 9.6 Special Considerations for Research Scholars

Chapter 10. The IRS Requirement to Reestablish Residency

- 10.1 Treaty Country Residence Requirement
- 10.2 Sources of IRS Policy
- 10.3 Successive Benefits
- 10.4 Consecutive Treaty Benefits
- 10.5 Certifying Statements

Chapter 11. Withholding, Information Returns, and Tax Returns

- 11.1 Resident or Nonresident Tax Status v 11.2 Residency Status Based on U.S. Presence
- 11.3 Individuals Exempt from Counting Days
- 11.4 Withholding on Compensation for Services
- 11.5 Code Exemptions from Withholding on Compensation for Services
- 11.6 Tax Treaty Exemption from Withholding on Compensation for Services
- 11.7 Reporting Requirements
- 11.8 Sailing Permit Requirement
- 11.9 Federal Tax Return
- 11.10 State Tax Return

Chapter 12. Payments to Parties Other Than the Individual

- 12.1 Payments to Agents and Intermediaries
- 12.2 Payments to a Worker's Foreign Employer
- 12.3 Payments to a Foreign Corporation Owned by a Worker
- 12.4 Treaty Claims by Groups of Foreign Entertainers
- 12.5 Payments to Foreign Tax-exempt Entities

Immigrant Visas

Non-Immigrant Categories Table

IRS Tax Code

- Federal Income Tax Structure
- Internal Revenue Code References
- Exceptions for Claiming Personal Exemptions for Nonresidents
- INS Honoraria Notification
- Honorarium Payment Eligibility Certification

Publication 3609: Filing Information Returns Electronically
US Tax Treatment of Temporarily Away-from Home Business Expenses v Permanent
Establishment from Nonsales US Services
Guidelines For Expatriate Payrolls
Automobile Lease Values
Foreign-earned Income Tax Worksheets

Residency

Tax Residency Rules Flowchart
183-Day US Tax Residency Formula and Exceptions
Residency Election
Residency Election for Wage Withholding
First-year Choice Election

US Taxation of Foreign Students

Common Errors on Income Tax Returns of Foreign Students
Student/Trainee Articles Exempting Income While Gaining Experience
Student/Trainee Articles Exempting Scholarship and Fellowship Grants
Student/Trainee Articles Exempting Participants in U.S. Government Programs
Form 8833: Treaty-Based Return Position Disclosure Under Section 6114 or 7701(b)
Evidence of Employment For Foreign Students

Treaties/Agreements

Income Tax Treaties in Force
Territories Covered
Territories Not Covered
Israel Income Tax Treaty Articles
Nondiscrimination Clauses
Residency and Tie-Breaker Rule Articles
Saving Clauses and Exceptions
States Not Allowing Tax Treaty Benefits
Income Remittance Rules
Income from Self-employment Articles
Directors' Fees Articles
Income from Employment Articles
Artists and Athletes Articles
Student/Trainee Articles Exempting Income While Gaining Experience
Student/Trainee Articles Exempting Scholarship and Fellowship Grants
Student/Trainee Articles Exempting Participants in U.S. Government Programs
Student/Trainee Articles Exempting Earned Income of Employees of Treaty Country Residents
Teacher/Researcher Articles
Teacher/Researcher Articles with a One-time Use Limitation
Teacher/Researcher and Student/Trainee Articles with a Combined Benefit Period
Teacher/Researcher and Student/Trainee Articles with a Back-to-Back Limitation
Noneducational Institutions Covered by Teacher/Researcher Articles
Permanent Establishment (PE) from Nonsales U.S. Services
North American Free Trade Agreement (NAFTA) Schedule 1 Permitted B-1 Activities
Social Security (Totalization) Agreements
Attachment to Form W-9 Tax Treaty Claim by a US Person
International Organizations

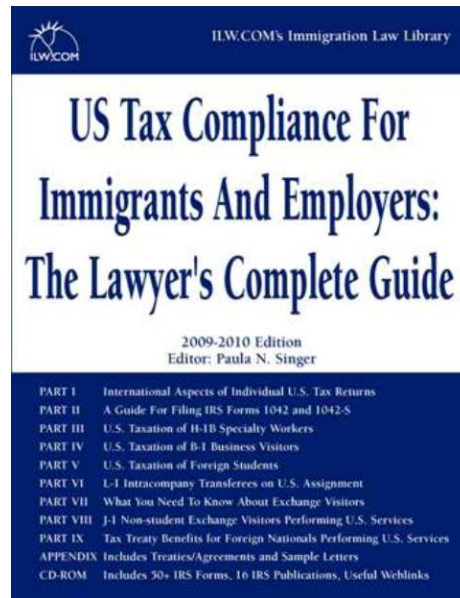
Sample Letters

Letter to Request a Certificate of Coverage

IRS Publications

Publication 15, Circular E, Employer's Tax Guide
Publication 54, Tax Guide for U.S. Citizens and Resident Aliens Abroad

Publication 463, Travel, Entertainment, Gift, and Car Expenses
Publication 514, Foreign Tax Credits for Individuals
Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities
Publication 516, U.S. Government Civilian Employees Stationed Abroad
Publication 517, Moving Expenses
Publication 519, U.S. Tax Guide for Aliens
Publication 521, Moving Expenses
Publication 570, Tax Guide for Individuals With Income From U.S. Possessions
Publication 901, U.S. Tax Treaties
Publication 970, Tax Benefits for Education
Publication 1546, The Taxpayer Advocate Service -- How to Get Help with Unresolved Tax Problems
Publication 1586, Reasonable Cause Regulations and Requirements for Missing and Incorrect Name/TIN
Publication 1915, Understanding Your IRS Individual Taxpayer Identification Number
Publication 3609: Filing Information Returns Electronically



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Part I: Complying With Immigration Laws

Chapter 1. Form I-9 General Concepts

Chapter 2. Completing the I-9 Form

Chapter 3. Reverification

Chapter 4. Recordkeeping

Chapter 5. Electronic I-9 Systems

Chapter 6. Knowledge of Unlawful Immigration Status

Chapter 7. Unfair Immigration Practices

Chapter 8. Penalties and Other Risks

Chapter 9. IRCA Compliance Tips

Chapter 10. Conducting an I-9 Self-Audit

Chapter 11. E-Verify, IMAGE, and SSNVS

Chapter 12. Social Security No-Match Letters

Chapter 13. Mergers and Acquisitions

Chapter 14. Criminal Law and Employer Immigration Law Compliance (with Jonathan L. Marks)

Chapter 15. Layoffs and Downsizing

Chapter 16. State Employer Immigration Laws

Arizona

Arkansas

Colorado

Georgia

Idaho

Illinois
Iowa
Massachusetts
Michigan
Minnesota
Mississippi
Missouri
Nevada
New Hampshire
North Carolina
Oklahoma
Pennsylvania
Rhode Island
South Carolina
Tennessee
Texas
Utah
Virginia
West Virginia

Part II: An Overview of the U.S. Immigration System

Chapter 17. Nonimmigrant Visas

Chapter 18. Immigrant Visas (the "Green Card")

Chapter 19. Asylees and Refugees



The Employer's Immigration Compliance Desk Reference

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PART I. PERM RULE, ANALYSIS, AND COMMENTS

A. PERM Regulation

B. Articles by PERM Writers

- 656.1 *Preparing PERM for 2nd and 3rd Preference* by David Nachman and Ludmila Zimovcak
- 656.3 *SVP: Discrepancies between the O*Net and the DOT* by Lori S. Melton
- 656.3 *The Method By Which the Bureau of Labor Statistics Converted the DOT Occupations into the OES Occupational Units or "Here's Another Nice Mess You've Got Us Into"* by Barbara Brandes
- 656.10(a)-(c) *The Basics of Labor Certification Under PERM : What You Need to Know Before You Start* by Jeffrey Devore
- 656.10(b) *Rights and Obligations of Attorney and Agents Under PERM* by Nancy-Jo Merritt
- 656.10(c) *Dangers in the Attestation Process* by Ramon Carrion
- 656.10(c)(10) *What is "Permanent" and "Full-Time" Employment* by Timothy Spridgeon
- 656.10(d), (e) *Deconstructing PERM Notice Requirements* by Susan J. Cohen
- 656.10(f) *Preparation of PERM Recruitment Report and Supporting Documentation* by Carl Shusterman and Alison Walters
- 656.11 *Is Employer "Substitution" Under PERM Dead?* by Christian Allen
- 656.12 *Prohibition on Payment of Attorney's Fees* by Paull Hejinian
- 656.15(a)-(c) *Step-by-Step for Schedule-A Applications* by Sherry Neal
- 656.15(d) *Aliens of Exceptional Ability in the Performing Arts* by Howard Kushner
- 656.17(a)-(d) *Filing, Withdrawing, Refiling, and Tracking PERM Cases* by Katherine Lopez Ley and Davis Bae
- 656.17(e)(1)(B)(1)(4) *Professional and Trade Journals Under PERM* by Nathan Waxman
- 656.17(e)(1)(I) *Regular Recruitment* by Nancy-Jo Merritt
- 656.17(e)(ii) *PERM Labor Certification Professional Recruitment Steps* by Edwin R. Rubin
- 656.17(e)(I)(ii)(A) *Note on Online Job Fairs* by David Nachman
- 656.17(g)(1) *Regarding Recruitment Reports* by Leon Wildes and David Lazaar
- 656.17(g)(2) *Ethics: What Do you Do When A Qualified US Worker Applies?* by Blake Chisam
- 656.17(h)(1) *Business Necessity: "Necessary Arguments"* by Sofia Zneimer
- 656.17(h)(3) *Combination of Occupations under PERM* by Nathan Waxman
- 656.17(h)(4)(ii) *The Impact of PERM On Experience Gained on the Job and Alternative Experience* by Nathan A. Waxman
- 656.17(h) *Requiring a Foreign Language under PERM* by Cyrus D. Mehta
- 656.17(i) *Nuts & Bolts: Actual Minimum Requirements & Experience Gained on the Job* by Rohit Turkhud

- 656.17(i)(3) *In-Job Experience: Why we Need it and How We Can Still Get it* by Gary Endelman
 - 656.17(k) *How Do Layoffs Affect PERM?* by Margaret McCormick and Patricia Luna
 - 656.17(l) *As If You Owned the Place...Alien Influence and Control Over the Labor Certification Process* by Robert E. Banta and Benjamin M. Lowe
 - 656.18 *College and University Professors: A Hybrid Between Special Handling and PERM* by Victoria Donoghue
 - 656.19 *Domestic Workers: At Home and on the Range* by Susan L. Brady
 - 656.20 *How PERM Cases are Selected for Audit* by Christina B. LaBrie
 - 656.20(c) *Requesting Extensions of Time to Respond to Audit Requests* by Jonathan Amdur and Susan Anderson
 - 656.24 *The Who What When Where of Labor Certification Determination* by Rebecca Sigmund
 - 656.24(b)(2)(i) *What You Do After the Ads Have Been Run? Resumes, Interviews, and Results* by Edwin R. Litwin
 - 656.26 *Appeals/Requests For Review Under PERM* by Joan Mathieu
 - 656.27 *Preparing Requests for Review with BALCA* by Mitchell L. Wexler and J. Ira Burkemper
 - 656.30-31 *Fraud, Misrepresentation, Validity, Invalidation and Revocation* by Richard Tasoff
 - 656.32 *Revocation of Labor Certification* by Michael Piston
 - 656.40-41 *Prevailing Wage Determinations Under PERM* by Lawrence Rudnick
- C. Editor's Comments to the PERM Rule

PART II. FAQ, STAKEHOLDER & LIAISON MEMORANDA

- A. Frequently Asked Questions (FAQ) by Lawrence Rudnick
- B. Summary of DOL PERM Stakeholders Meetings by Lorna Rogers Burgess
- C. Frequently Asked Questions

PART III. ETA FORMS, OLD AND NEW

- A. The New 9089 PERM Form by Linda Rose
- B. What DOL told OMB about PERM by Jay Solomon
- C. New ETA Form 9089 and Instructions, Application for Permanent Employment Certification
- D. Old ETA Form 9089, Application for Permanent Employment Certification
- E. Old ETA Form 9089, Instructions
- F. Old ETA Form 9089 Electronic Filing Instructions
- G. ETA Form 750A
- H. ETA Form 750B
- I. ETA Form 750 A and B, Instructions
- J. ETA Form 9127, Foreign Labor Certification (FLC) Quarterly Activity Report

PART IV. ROADMAPS AND CHECKLISTS

- A. Overview of PERM Cases
- B. Overall PERM Flow Chart
- C. Employer Checklist
- D. Alien Checklist
- E. Job Offer Checklist
- F. Attorney/Agent Checklist
- G. Prevailing Wage Preparation Checklist
- H. Prevailing Wage Quick Guide
- I. Recruitment Checklist
- J. Express SVP Checklist
- K. PERM Audit Checklist: 10 Important Points
- L. Real and Virtual PERM Addresses

- M. What do PERM and H-1B Visas Have in Common?
- N. Attorney Competency Self-Test
- O. Sample PERM Cases
 - 1. Job Zone Five, IT Director
 - 2. Job Zone Five, Economist
 - 3. Job Zone Four, Consultant, Foreign Law
 - 4. Job Zone Four, Accounting Coordinator
 - 5. Job Zone Three, Tile Installers Coordinator

PART V. BALCA HANDBOOK

- A. Introduction to BALCA by Joel Stewart
- B. BALCA PERM Quick Reference Guide by Joel Stewart
- C. BALCA En Banc Quick Reference Guide by Joel Stewart
- D. BALCA Hearing Procedures

PART VI. FEDERAL LITIGATION GUIDE

- A. Introduction to Federal Court Litigation by Sam Udani
- B. Exhaustion of Administrative Review by Michael E. Piston
- C. Federal Court Litigation-PERM by David B. Pakula
- D. Sample Pleading by Michael E. Piston

PART VII: PREVAILING WAGE REVIEW

- A. Prevailing Wage Survey & Overview by Jane Goldblum
- B. Wage Worksheet Simple Systems 1 by Jane Goldblum
- C. Wage Worksheet Simple Systems 2 by Jane Goldblum
- D. 656.40 Perm Reg. Determination of PW
- E. 656.41 Perm Reg. Certifying Officer Review of PW
- F. Prevailing Wage FAQ
- G. Appendix A By Alphabetical Order
- H. Appendix A By SOC Classification Order

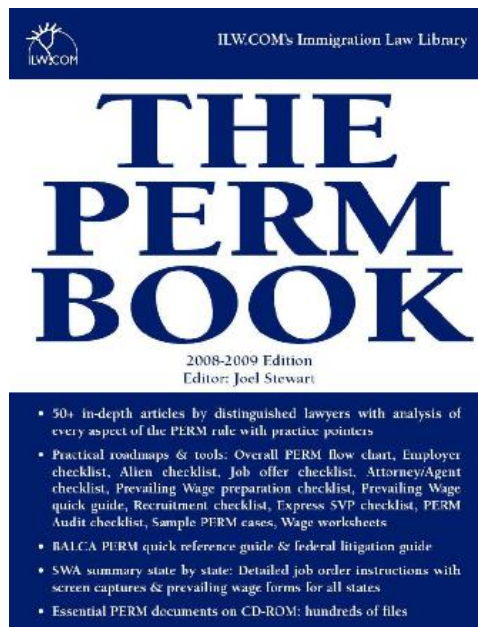
PART VIII: SWA SUMMARY STATE BY STATE

Alabama, Alaska, Arizona, Arkansas, California
Colorado, Connecticut, Delaware, District of Columbia
Florida, Georgia, Guam, Hawaii, Idaho, Illinois, Indiana
Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland
Massachusetts, Michigan, Minnesota, Mississippi, Missouri
Montana, Nebraska, Nevada, New Hampshire, New Jersey
New Mexico, New York, North Carolina, North Dakota, Ohio
Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island
South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont
Virgin Islands, Virginia, Washington, West Virginia, Wisconsin, Wyoming

PART IX: PERM RESOURCES ON CD-ROM

- A. SOC Structure
- B. SOC Definitions
- C. SOC 2006 Changes
- D. Background On Development Of Appendix A
- E. Stratifying Occupational Units By SVP
- F. NAICS 2002 Codes And Titles
- G. NAICS Codes And Titles - 2007 Revisions
- H. Latest OES Wage Data - MDB file
- I. 2008 OES Wage Data Structure
- J. Latest OES Wage Data - Statistical Area Definitions
- K. Appendix A By Alphabetical Order
- L. Appendix A By SOC Classification Order

- M. Darby v. Cisneros
- N. Lawyers Guide To 212(a)(5)(A) By Gary Endelman
- O. BALCA Hearing Procedures
- P. BALCA En Banc Cases From 1987
- Q. Occupational Projections And Training Data
- R. Occupational Outlook Handbook
- S. Federal Register Notices On PERM
- T. Prevailing Wage Determination Policy Guidance
- U. What DOL Told OMB About PERM By Jay Solomon
- V. ETA Forms Old And New
 1. New ETA Form 9089 and Instructions, Application for Permanent Employment Certification
 2. Old ETA Form 9089, Application for Permanent Employment Certification
 3. Old ETA Form 9089, Instructions
 4. Old ETA Form 9089 Electronic Filing Instructions
 5. ETA Form 750A
 6. ETA Form 750B
 7. ETA Form 750 A and B, Instructions



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Editor: Joel Stewart
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THE H-1B BOOK

Editor: Karen Weinstock

Contributors: Courtney Black, Mikiel J. Davids, Melissa Downing, Prakash Khatri, Rajeshri Patel, Ari J. Sauer, and Elissa Taub

I. FOREWORD by: Prakash Khatri

II. INTRODUCTION

- The Complete H-1B Process: Attorney Flowchart
- The H-1B Process: Attorney's 10-Step System
- Overview of H-1B Visas

III. H-1B STEP BY STEP

First Step: Interview The Client

- Qualifying the Position as a Specialty Occupation
- Qualifying The Employee
- Meeting Wage Requirements
- Lawyer's H-1B Consultation Questionnaire Form
- Lawyer's H-1B Task Checklist

Second Step: Send The Client Intake Forms And Related Information

- Intakes Summary
- H-1B Employer Intake/Questionnaire Form
- H-1B Worker Intake/Questionnaire Form
- The Complete H-1B Process: Company Flowchart
- The H-1B Process: Company's Step-By-Step Explanation
- Explanation and instructions for spouses and children

Third Step: Credentials: Verify That The Worker Has A US Bachelor's Degree Or Equivalent

- Credentials Summary
- If the worker has a U.S. degree - no evaluation is necessary
- If the worker has a foreign degree - order credentials evaluation
- If the H-1B petition is based on work experience or combination - order a work experience evaluation
- List of credentials evaluation firms, web sites and phone numbers

Fourth Step: Determine The Prevailing Wage

- Understanding the Prevailing Wage
- Determining the Prevailing Wage
 - O*NET, SOC, Wage Levels, Job Zone and SVP

- SESA or SWA Wage Determination
 - FLC Data Center Wage Determination
 - Wage Determination Through Other Wage Surveys
- Practice Examples in Determination of the Prevailing Wage

Fifth Step: Prepare And File The Labor Condition Application (LCA)

- Introduction to the Labor Condition Application (LCA)
- Preparing and filing the Labor Condition Application (LCA)
 - Online LCA filing
 - Complete Online LCA and Receive LCA Approval Online
 - Completing the LCA: Step by Step
 - H-1B Dependent Employers Worksheet for the LCA
- Detailed Description of Form ETA-9035E and its Obligations
- Sample of completed LCA (form ETA-9035E)
- Copy of form ETA9035CP (LCA cover pages)

Sixth Step: Prepare The I-129, Related Forms And Petition Letter

- Form I-129
- H supplement to Form I-129
- Form I-129 H-1B Data Collection Supplement
- Form G-28
- Form I-907 if premium processing is applicable

If the H-1B worker has a spouse and/or children:

- Form I-539
- Form I-539 Supplement 1 (if necessary for other family members)

Seventh Step: Send All The Forms And Petition Letter To The Client For Review & Signature

- Sample letter to client
- LCA posting notice
- Sample Letter to Employer Regarding Public Access File
- Memorandum to employers on Labor Condition Application
- Public Access File sample

Eighth Step: Assemble The H-1B Petition And Send To The USCIS Service Center

- General Filing Instructions (including list of service centers and filing addresses)
- Sample Cover Letter
- H-1B Petition document checklist
- Sample list of exhibits

Ninth Step: Troubleshooting

- Introduction
- Request for Additional Evidence
- Dealing with the dreaded request for evidence
 - Sample Response to Request for Additional Evidence

THE NURSE IMMIGRATION BOOK

Editors: Joseph P. Curran and Dan H. Berger

Articles by James David Acoba, Stuart Anderson, David Auerbach, Gloria Bazzoli, Sylvia Boecker, Peter Buerhaus, CGFNS International, Sreekanth Chagaturu, Patrick Curran, Esther Fridman, Anneliese Gerland, Michael Hammond, Leslie Holman, Mireille Kingma, Jessica May, Yvette Mooney, Christopher Musillo, Ronald Nair, Phyllis Farrell Norman, Mariah Rutherford-Olds, Carl Shusterman, Greg Siskind, C. Philip Slaton, Douglas Staiger, William A. Stock, Snigdha Vallabhaneni and Christopher Wendt

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- Better Late Than Never: Workforce Supply Implications Of Later Entry Into Nursing By David Auerbach, Peter Buerhaus and Douglas Staiger

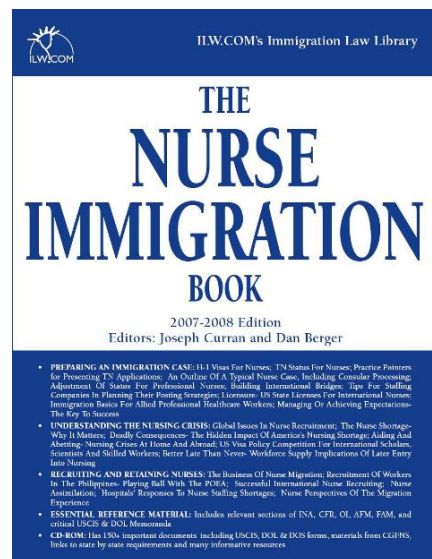
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- Nurse Perspectives Of The Migration Experience By Mariah Rutherford-Olds

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PART ONE: REMOVAL PROCEEDINGS, GROUNDS OF REMOVAL, AND CONTESTING THE CHARGES IN A NOTICE TO APPEAR

Chapter One: Removal Proceedings

- I. Overview of removal proceedings
- II. Commencement of removal proceedings under INA § 240
- III. Other types of removal proceedings
- IV. Proper service of the charging document in proceedings
- V. Rights in removal proceedings
- VI. Bond Hearings and Parole
- VII. Inadmissibility under INA § 212 or Removability under INA § 240 - How Is This Determined
- VIII. Immigration Court Practice Manual
- IX. Pre-Hearing Motions
- X. Juvenile Proceedings
- XI. Security checks

Chapter Two: Grounds of Inadmissibility

- I. Overview of the Grounds of Inadmissibility
- II. Who bears the burden of proof when your client is charged under INA §212
- III. Grounds of Inadmissibility

Chapter Three: Grounds Of Removal

- I. Overview of the grounds of removal
- II. Document-related grounds of removal
- III. Security Grounds
- IV. Public charge
- V. Unlawful voters

Chapter Four: Contesting Removability

- I. Overview
- II. Preliminary considerations
- III. The decision to concede or contest removability
- IV. Grounds to challenge a Notice to Appear
- V. Burden of proof in removal proceedings
- VI. Special issues where the person is charged with being subject to removal based on criminal grounds
- VII. Motions to suppress
- VIII. Conclusion

PART TWO: RELIEF FROM REMOVAL

Chapter One: Adjustment Of Status

- I. INA § 245(i)
- II. Family-based adjustment of status
- III. Employment-Based Adjustment of status
- IV. Child status Protection Act ("CSPA")
- V. Removal of conditional residence
- VI. NACARA
- VII. Refugee adjustment in removal proceedings
- VIII. Registry
- IX. Adjustment for certain nationals from Vietnam, Cambodia, and Laos
- X. Cuban adjustment Act

Chapter Two: Waivers in Removal Proceedings

- I. Overview
- II. Discretionary determination
- III. Types of Waivers
- IV. Conclusion

Chapter Three: Cancellation Of Removal For LPRs and INA § 212(c) Relief

- I. Introduction
- II. Cancellation of Removal for LPRs
- III. INA § 212(c) relief

Chapter Four: Cancellation Of Removal For Non-LPRs

- I. Introduction
- II. Eligibility
- III. Continuous physical presence and the stop-time rule
- IV. Repapering
- V. Special rule cancellation of removal for a battered spouse or child
- VI. Suspension of deportation

Chapter Five: NACARA

- I. Introduction
- II. Eligibility to Apply
- III. Requirements
- IV. Statutory Bars
- V. IJ jurisdiction to adjudicate NACARA applications
- VI. How to file

Chapter Six: Asylum and Withholding Of Removal

- I. Overview and benefits of asylum
- II. Referred vs. defensive asylum application

- III. Real ID Act of 2005
- IV. Corroboration of an Asylum Claim
- V. On account of standard
- VI. Government unwilling or unable to control persecutors
- VII. What constitutes persecution
- VIII. Past Persecution Claim
- IX. Well-founded fear of persecution
- X. Exercise of discretion
- XI. Bars to Asylum
- XII. Withholding of Removal
- XIII. Termination of asylum and withholding of removal
- XIV. Employment authorizationv XV. The credible fear process

Chapter Seven: Convention Against Torture

- I. Overview
- II. CAT regulations and legal standard
- III. Definition of torture
- IV. Acquiescence of Government officials
- V. Withholding of removal versus deferral of removal under CAT
- VI. Termination of CAT relief

Chapter Eight: Voluntary Departure

- I. Overview and benefits
- II. Requirements
- III. Failure to post voluntary departure bond
- IV. The effect of failing to depart
- V. Reinstatement of voluntary departure after an appeal to the Board
- VI. Termination of voluntary departure upon filing a motion to reopen or petition for review

Chapter Nine: Naturalization As A Defense To Removal

- I. Overview
- II. Prima Facie Eligibility for Naturalization
- III. Bars to Naturalization
- IV. Procedure for termination of removal proceedings to apply for naturalization

Chapter Ten: Other Relief

- I. S visa
- II. T visa
- III. U visa
- IV. I-360
- V. TPS
- VI. Deferred Action
- VII. Private Bill

PART THREE: APPEALS AND MOTIONS TO REOPEN

Chapter One:

I. Appeal to the Board of Immigration Appeals

Chapter Two:

I. Motions to Reopen

The Immigrant's Way

By: Margaret W. Wong

PRE-SECTION CHAPTERS

- Preface
- Dedication
- Alien
- Acknowledgements
- Prologue
- Introduction
- The American Dream
- Money Talks
- Do More Foreign Borns Compromise Safety for the US?
- Being Foreign-Born in America

SECTION I: HISTORY OF IMMIGRATION AND IMMIGRATION LAW

1. Timeline of American Immigration History
2. Pre-Republic
 - a. Ancient Discovery
 - b. European Discovery 1492
 - c. Spanish
 - d. Huguenots (French Protestants)
 - e. English and Scottish
 - f. French
 - g. Pennsylvania Dutch and Quakers
 - h. Dutch
 - i. Slaves
3. Independence, 1776
4. Building the New American Frontier (ca. 1821-1880)
 - a. Irish
 - b. Chinese
 - c. Germans
 - d. Scandinavians
 - e. Norwegians
 - f. Swedes
 - g. Finns
5. The Immigrant Nation (ca. 1881-1913)
 - a. Italians
 - b. Greeks
 - c. Hungarians
 - d. Ukrainians
 - e. Poles
 - f. Jews of Eastern Europe and Russia
 - g. Mexicans
 - h. French Canadians
6. World War I, 1914

7. The Great Depression, 1929
8. World War II, 1939
9. Post-World War II (1945 onwards)
 - a. Refugees
 - b. The *Bracero* Program and Illegal Immigration
10. Immigration and Reform During the Cold War 1945 to 1980
 - a. Arabs
 - b. Asian Indians
 - c. Central Americans
 - d. Communist China
 - e. Cubans
 - f. Dominicans
 - g. Haitians
 - h. Jamaicans
 - i. Koreans
 - j. Puerto Ricans
 - k. South Americans
 - l. The American Civil Rights Movement
 - m. Vietnamese

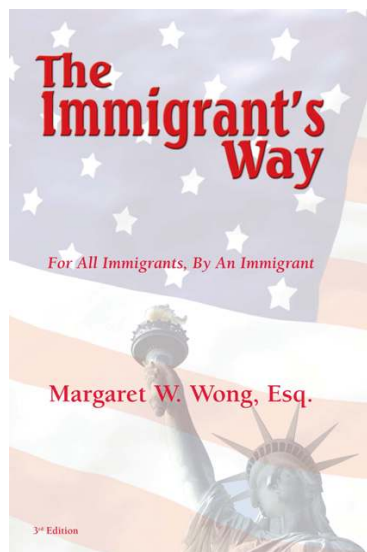
SECTION II: IMMIGRATION PAPERWORK AND LEGAL PROCESS

1. Immigration Law Changes 1980 to Present
2. Immigration Law from 1980-2005
3. 66 Points to Remember
4. Non-immigrant Visas
 - a. General
 - b. Visa waiver Countries
 - c. Other Non-immigrant visa categories
 - d. student visas
 - e. work permits
 - f. H-1B
 - g. E-3
 - h. TN
 - i. NIV Quotas
5. Temporary Protected Status and Deferred Enforced Departure
6. Green Cards
 - a. General
 - b. Five Ways to Get a Green Card
7. Green Card Processing Scenarios (including 245(i))
8. U.S. Citizenship
9. Illegal Entry/Losing Status, Detention, and Deportation
 - a. Deportation v. Removal
 - b. Criminal Trouble
 - c. Students losing status
 - d. Voluntary Departure
 - e. Taking Your Case to Court
 - f. Final Orders of Deportation
 - g. Detention
 - h. Real ID Act
10. Other issues concerning foreign borns in this country

- a. Child Status Protection Act
 - b. Crimes and moral turpitude
 - c. Media Influences
 - d. Cultural Clash: Different skin color
 - e. English speaking ability
 - f. Educating the next generation
 - g. Incarceration and Deportation
 - h. Other Problems With the Immigration System
 - i. Do's and Don'ts for Foreign Borns
 - j. Important Changes in Immigration Laws for the 1980's
 - k. Filing Tips
11. List of Acronyms/Abbreviations
 12. Glossary and explanations
 13. Resources

POST-SECTION CHAPTERS

- Works cited
- Contact Information



THE IMMIGRANT'S WAY

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Immigration Practice 2009-2010 Edition

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Immigration Practice guides you through the aspects of immigration law practice in one volume. It includes 3,000+ footnotes citing statutes, regulations, court and administrative cases, policy memos, operational instructions, agency interpretive letters, websites, and more.

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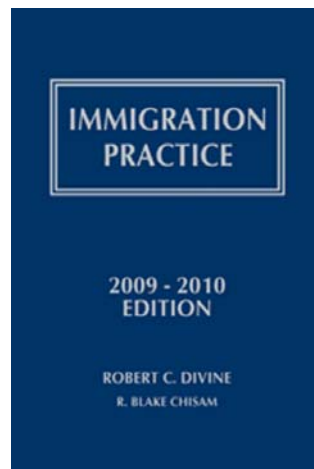
Highlights

- Liberally cross references to other related sections of the book.
- Line-by-line instructions on how to complete the commonly used forms.
- Checklists provided: forms and fees, detailed support letters, and other supporting evidence.
- Explanations of potentially applicable visa options organized by foreign national and/or employer attributes, instead of the typical alphabetical order.
- Citations throughout the book, and a CD-ROM Appendix.

What's New

- The Attorney General's overturning of *Matter of Lozada*, finding no constitutional right to effective assistance of counsel in immigration proceedings but allowing discretionary motions for "deficient performance of counsel." §§ 11-3(e), 11-7.
- Revised and expanded discussion of biometrics procedures and background checks across all relevant agencies, § 1-6(c).
- New section on Special Rules for Military Members and Family, with cross references to specific procedures throughout the book, § 1-7(a).
- New rules for discipline of attorneys, and implications of duty of candor. § 3-6 and chapters 11 and 16.
- Overhaul of the discussion of "Nonimmigrant Intent," using new FAM discussion about students, new R regulations, and new discussion about TN workers. § 7-3(c)(4).
- Developments concerning following-to-join and I-824. § 8-4(a)(2).
- Attorney General's new method of analyzing crimes for moral turpitude. § 10-6(b)(1)(i).
- Revised medical examination requirements for civil surgeons in the U.S. and for panel physicians overseas. §§ 8-7(c), 8-8(d)(2)(i), 10-6(a).
- Updated discussion of the "categorical approach" to determining criminal removal grounds and when and how it applies, and other developments arising from BIA precedent decisions. § 10-6(b).
- New cases and improved discussion concerning scheduling of hearings and in absentia orders and motions to rescind or reopen. § 11-3.
- Entire history of prosecutorial discretion memos of various agencies. § 11-3(h)(1).
- Rewriting of sections on departure before or after removal hearing, §§ 11-5(b), continuance, administrative closure, or termination, § 11-5(c), and voluntary departure (based on S.Ct. decision and new regulations), § 11-5(i).
- EB-5 investor issues concerning USCIS' rejection of promises to refund in the event of I-829 denial and USCIS' requirement that even regional center jobs be planned to be created within 2 years. §§ 15-2(f)(3).
- DOL centralization of PERM and H-2 processes in two National Processing Centers and its implementation of the "iCert" electronic system for LCA and PERM filings.
- BALCA cases about correctable insignificant errors, Kellogg language, requirements allegedly implicit in the duties, language requirements, corporate maintenance failures, SWA job order errors, newspaper advertisement requirements, seasonal employment, journal web postings,

- postings lacking employer's name or CO address or wage, "chilling effect" of requiring proof of resume items, "overqualification" rejection, remands from BALCA. § 15-3, et seq.
- Increase in "supervised recruitment" and audit of cases filed by law firms targeted by DOL out of concern for excessive involvement in recruitment. §§ 15-3(d)(5) and (d)(6), 15-3(e).
 - USCIS' acceptance of labor certifications filed more than 180 days after approval when they have been previously used with any I-140 before 180 days. § 15-3(i)(1).
 - BIA decisions concerning gang members as a social group. § 16-4(a)(3).
 - DHS General Counsel's revision of approach to aliens released on parole (no longer considered parole under 212(d)(5)) and impact on released Cubans now needing separate humanitarian parole for adjustment eligibility. §§ 8-7(b)(1), 16-7(e).
 - USCIS new harsh approach to technology and other staffing companies. § 17-4(b)(4)(i).
 - New cap counting procedures, clarification of the "ceased to be employed" with an H-1B cap-exempt employer, the "cap gap" solution for students, further clarifications of AC21 extensions of H-1B beyond the 6-year maximum, and premium processing of immigrant petitions to enable AC21 benefits. § 17-4(b)(4)(iii).
 - Major new regulations for H-2A and H-2B temporary workers and for nonimmigrant and immigrant religious workers. §§ 17-4(d), 17-5(b), 17-5(e)(1).
 - ESTA procedures for Visa Waiver Program entrants. § 18-3(b)(2)(iii).
 - New Guam-CNMI visa waiver program. § 18 3(b)(3).
 - New rules and details for Optional Practical Training, including increased accountability for nature of work and breaks in employment, "cap gap," and "STEM OPT." § 18-4(d)(9)(iii).
 - New Form I-9 and Handbook for Employers and specific guidance about I-9 completion for unique circumstances such as refugees and asylees, H-1B portability, 240-day rule extensions, TPS auto-renewals, §§ 7-5(b)(1), 16-2(e), 16-3(d), 16-7(a)(5), 17-4(b)(4)(iii), 19-4(b).
 - Analysis of current issues with no-match letters and other possible sources of "constructive knowledge, including changed identities of workers. § 19-4(e).
 - Greatly expanded discussion of E-Verify's mechanics, federal government contractor requirements, and state law requirements for verification. § 19-4(l).



THE IMMIGRATION PRACTICE 2009-2010 EDITION

Robert C. Divine and R. Blake Chisam

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Business Immigration Law: Strategies For Employing Foreign Nationals

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Finally, employing foreign nationals has been demystified! **Business Immigration Law: Strategies for Employing Foreign Nationals** guides you step by step through this intricate legal maze. An impressive array of specialists provides helpful and pragmatic advice on the nonimmigrant work authorization, including: specialty occupations (H-1Bs); intra-company transfers from abroad (L-1); and treaty traders and investors (E-1 and E-2). Coverage includes: tax issues; discrimination law problems raised by screening foreign nationals during hiring; and how to avoid sanctions for I-9 violations. This book's appendices provide forms, guidelines, regulations and other helpful materials. Please see its companion volume, [Business Immigration Law: Forms and Filings](#).

CHAPTER 1

Basic Concepts

§ 1.01 Legislative Authority

§ 1.02 Agencies

[1] Department of Homeland Security (DHS): USCIS, ICE, and CBP

[2] Department of State (DOS)

[3] Department of Labor (DOL)

[4] Other Agencies

§ 1.03 Statutes, Regulations, and Other Guides

§ 1.04 Immigrant and Nonimmigrant Status

[1] Essential Concepts

[2] Extending, Changing, or Adjusting Status

[3] Immigrants versus Nonimmigrants

§ 1.05 Nomenclature of Visa Categories Such as E, L, and H-1B

§ 1.06 Visa Waiver Permanent Program

§ 1.07 Obtaining Nonimmigrant Status

[1] Petitioning the USCIS

[2] Obtaining a Visa

[3] Avoiding Problems upon Admission to the United States

[4] Change of Status from Within the United States

[5] Procedure for Filing a Nonimmigrant Petition

§ 1.08 Dependents of Nonimmigrants

[1] Obtaining Nonimmigrant Visas

[2] Obtaining Nonimmigrant Status

[3] Employment

[4] Education

§ 1.09 Maintenance and Limitations of Nonimmigrant Status

§ 1.10 Extension of Nonimmigrant Status

[1] Contents, Structure, and Purpose of Extension Petitions

[2] Filing Extension Petitions

[3] Employment During Pendency of Extension Petitions

[4] Denials

§ 1.11 Inadmissibility

[1] Grounds

[2] Determinations of Inadmissibility

[3] Overcoming Inadmissibility to Obtain Entry

CHAPTER 2

Recruiting Foreign Nationals

§ 2.01 The Need for a Strategy

§ 2.02 Potential Disadvantages of Recruiting

- [1] Delay in Obtaining Employment Authorization
- [2] Cost of Obtaining Employment Authorization
- [3] Limited Length of Employment Authorization
- [4] Subsequent Costs: Changes in Terms and Employment Termination

§ 2.03 Deemed Export Rule

- [1] Sources of Export Regulation
- [2] "Export" and "Deemed Export" Defined
- [3] Which Employees Are Subject to the "Deemed Export" Rule
- [4] Items and Activities Subject to Export Regulation
- [5] When a License Is Required for a Deemed Export
- [6] Screening for Export Control Issues in Recruitment and Hiring

§ 2.04 Discrimination Issues

- [1] Overview
- [2] Which Employers Are Subject to Antidiscrimination Laws
- [3] National Origin Discrimination
- [4] Citizenship Status Discrimination
- [5] Document Abuse
- [6] Wage and Hour Laws/Workers' Compensation Benefits
- [7] The Retaliation Case
- [8] RICO

§ 2.05 Hiring Practices and Employment Policies

- [1] Interviewing Applicants
- [2] Limiting Visa Status Sponsorship
- [3] The Labor Certification Process: Who Is a "United States Worker"?
- [4] United States Citizens-Only: Hiring Policies
- [5] United States Citizens-Only: Policies Affecting Terms or Conditions of Employment
- [6] Treaty-Authorized Discrimination Against United States Citizens
- [7] Choosing Between Equally Qualified United States Citizens and Foreign Nationals
- [8] Choosing Between Undocumented Aliens/Nonimmigrants and Protected Individuals
- [9] Fluency in English and "English-Only" Policies
- [10] Job Assignments
- [11] Requiring a Social Security Number
- [12] National Security Clearance

§ 2.06 Enforcement

- [1] Agency Jurisdiction
- [2] Filing a Charge Under IRCA
- [3] Filing a Charge Under Title VII

§ 2.07 Recruiting Students

- [1] Student Visa Status and Employment
- [2] New Visa Status: Timing Considerations

§ 2.08 Employment Contracts

- [1] The Unintended Contract
- [2] Sponsorship and Fees Contracts

CHAPTER 3

Short-Term Needs

§ 3.01 Introduction

§ 3.02 B-1 Visas

- [1] Overview of B-1 Status
- [2] Permissible Activities
- [3] Obtaining B-1 Status

§ 3.03 H-2B Status

- [1] The Temporary Need
- [2] H-2B Quota
- [3] How to Obtain H-2B Status

§ 3.04 H-3 Status

- [1] The Training Program
- [2] How to Obtain H-3 Status
- [3] Extension of H-3 Status; Changing to Another Status
- § 3.05 J-1 Exchange Visitor Status
 - [1] Summary of Program Categories
 - [2] Obtaining J Status
 - [3] J-1 Status Entry
 - [4] Reinstatement of J Status Holders
 - [5] Obligation of Sponsor upon Completion of the J Program
 - [6] Transfer of Sponsors
 - [7] Employment of J Status Holders
 - [8] Two-Year Return Residence Requirement
 - [9] Sanctions for Regulatory Breaches
 - [10] Termination of J Program Sponsorship
- § 3.06 O-1 Status for Extraordinary Foreign Nationals
 - [1] Extraordinary Ability Defined
 - [2] Extraordinary Foreign Nationals Must Enter the United States to Work in Their Fields
 - [3] Peer Group Consultation
 - [4] O-2 Status Holders Accompanying Foreign Nationals
 - [5] How to Obtain O Status

CHAPTER 4

Specialty Occupation Professionals

- § 4.01 Introduction to H-1B Program
- § 4.02 General Requirements of Program
 - [1] Status of Petitioner
 - [2] Specialty Occupation Defined
 - [3] Foreign Worker's Qualifications
 - [4] Labor Condition Application as Prerequisite
 - [5] Filing the H-1B Petition
 - [6] Receipt of H-1B Status
- § 4.03 Establishment of the H-1B Category and the H-1B "Cap"
 - [1] Statutory Provisions
 - [2] Regulations
 - [3] The H-1B "Cap"
- § 4.04 The Petitioner and Its Job Offer
 - [1] The "United States Employer"
 - [2] The *Bona Fide* Nonspeculative Job Offer
- § 4.05 Specialty Occupation Defined
 - [1] The Legal Standard
 - [2] Defining the Job
 - [3] Straightforward Specialty Occupations: The "Easy" Cases
 - [4] Establishing the "Specialty Occupation" in Complex Cases
 - [5] Additional Criteria
 - [6] Occupational Categories
- § 4.06 Beneficiary's Required Qualifications
 - [1] The Legal Standard
 - [2] United States or Foreign Baccalaureate Degree
 - [3] Baccalaureate Degree Subject Matter
 - [4] Education Plus Experience and Training
 - [5] Licensure
 - [6] Physicians
 - [7] Certification for Foreign Health Care Workers
- § 4.07 The Labor Condition Application (LCA)
 - [1] Background and Purpose
 - [2] Payment of "Required Wage Rate": LCA Attestation #1
 - [3] "No Adverse Effect on Working Conditions": LCA Attestation #2
 - [4] "No Strike or Lockout": LCA Attestation #3
 - [5] Notice to Employees of Filing: LCA Attestation #4

- [6] “Non-Displacement” and Recruitment of U.S. Workers: LCA Attestations for “H-1B Dependent” and “Willful Violator” Employers
- [7] Completing the LCA
- [8] Filing the LCA
- [9] The Public Access File and Retention of Records
- [10] Payment of Required Wage and Prohibition on Nonproductive Status
- [11] When a New LCA Is Required for a Change in Location and “Short-Term” Placement
- [12] Enforcement and Penalties
- § 4.08 H-1B Petition Filing
 - [1] The Petition
 - [2] Preparing the Petition
 - [3] Filing the Petition
 - [4] Requests for Evidence
 - [5] The Notice of Approval
 - [6] The H-1B Visa Application and Entry into the United States
 - [7] Beginning Work
 - [8] Post-Approval Travel and Visa Processing
 - [9] Denial and Revocation of a Petition
 - [10] Special Procedures for Nationals of Chile, Singapore, and Australia
- § 4.09 Special Problems and Advanced Strategies
 - [1] Transfer Between Multiple Work Locations
 - [2] “Bench Time”
 - [3] “Recapturing” Time and Other Strategies to Extend the Six-Year Maximum
 - [4] Lapse of Status
 - [5] Anticipating the Annual H-1B Cap
 - [6] Mergers, Acquisitions, Relocations, and Other Corporate Changes
 - [7] Termination or Resignation of an H-1B Employee
 - [8] Maintenance of Status and Portability

CHAPTER 5

Intra-Company Transfers

- § 5.01 Overview of L Status
 - [1] Generally
 - [2] Establishing New United States Operations
- § 5.02 The Qualifying Organization
 - [1] Overview
 - [2] Elements of the Qualifying Organization
- § 5.03 The Employment
 - [1] Employment in the United States
 - [2] Employment Outside the United States
- § 5.04 How to Obtain L Status
 - [1] Individual Petitions
 - [2] Blanket Petitions
 - [3] Maintenance of L Status
- § 5.05 Extensions of Individual L Petitions
 - [1] Procedure
 - [2] Evidence
- § 5.06 Extensions of Blanket L Petitions
 - [1] Validity Periods
 - [2] Status Holders' Stays in the United States
- § 5.07 Duration of L Status
- § 5.08 Notification of Material Changes
 - [1] Corporate Reorganizations
 - [2] Terms and Conditions of Employment
 - [3] Transfers to Other Qualifying Organizations
- § 5.09 Spouses and Dependent Children
- § 5.10 Effect of Strikes or Lockouts on L Status

CHAPTER 6

Investment and Trade: E Visas

§ 6.01 Overview

- [1] Requirements
- [2] Interaction between the Department of State and the U.S. Citizenship and Immigration Services
- [3] Duration: A Long-Term Visa Option

§ 6.02 The Treaty Requirement

- [1] Types of Qualifying Treaties
- [2] Treaty Limitations
- [3] Special NAFTA Requirements

§ 6.03 Nationality Requirements

- [1] General
- [2] Nationality of Individuals
- [3] Nationality of Business Organizations
- [4] Nationality Requirements for Employees of Treaty Aliens or Treaty Organizations

§ 6.04 Qualifying Functions

- [1] The Treaty Trader or Investor
- [2] Employees of the Treaty Alien or the Treaty Enterprise
- [3] Defining the Position: Employment Discrimination Rules Affecting E Enterprises

§ 6.05 Treaty Trader Issues

- [1] Overview
- [2] The Definition of "Trade"
- [3] The Requirement of "Substantial Trade"
- [4] The Requirement of Trade Primarily with the Treaty Country

§ 6.06 Treaty Investor Issues

- [1] Overview
- [2] The Definition of "Invested" or "Process of Investing"
- [3] Investment in a *Bona Fide* Enterprise
- [4] Investment of a "Substantial" Amount of Capital
- [5] Marginality
- [6] The Ability to Develop and Direct the Enterprise

§ 6.07 Employees of Treaty Traders and Investors

- [1] General
- [2] Work in a Corporate Group
- [3] Substantive Changes in Employment
- [4] Nonsubstantive Changes in Employment
- [5] Employment of E Treaty Dependents

§ 6.08 Procedures to Obtain E Status

- [1] Consular Processing versus the USCIS
- [2] Consular Processing Procedures
- [3] USCIS Processing Procedures

§ 6.09 Duration and Extension of E Status

- [1] Duration of E Visas
- [2] Duration of Authorized Stay
- [3] The Inadvertent Overstay
- [4] Renewal of E Visas Issued at a United States Consulate
- [5] Extension of Authorized Stay through the USCIS

§ 6.10 E Status versus Other Nonimmigrant Status

- [1] Advantages
- [2] Disadvantages

§ 6.11 Immigrant Visas for E Visa Holders

CHAPTER 7

NAFTA

§ 7.01 Introduction

§ 7.02 Business Visitors (B-1)

- [1] Permissible Activities
- [2] Procedures

§ 7.03 Professionals (TN)

- [1] Comparisons to H-1B
- [2] Qualifying for TN Classification
- [3] Requirements for Citizens of Canada and Mexico
- [4] Special Provisions for Citizens of Canada
- [5] Special Provisions for Citizens of Mexico
- [6] Effect of Labor Disputes
- § 7.04 Traders and Investors (E)
- § 7.05 Intra-Company Transferees (L-1)
- § 7.06 The INSPASS and PORTPASS Programs
 - [1] Pilot Automated Inspection System (INSPASS)
 - [2] Port Passenger Accelerated Service System (PORTPASS)
- § 7.07 Temporary Entry: Other Provisions
 - [1] Protecting Domestic Labor Forces
 - [2] Temporary Entry Working Group
 - [3] Spouses of Business Persons: Right to Work
- § 7.08 Canadian Border Admissions
 - [1] Increased Border Enforcement
 - [2] Summary Exclusion and Removal Proceedings
 - [3] Unlawful Presence: Bars to Future Admissibility
- § 7.09 Expedited Removal Proceedings
 - [1] Persons Subject to Expedited Removal
 - [2] Procedures
 - [3] Judicial Review
 - [4] Consequences of Expedited Removal
- § 7.10 New Grounds for Inadmissibility
 - [1] Health Care Workers
 - [2] F-1 Students Who Violate Status
 - [3] Unlawful Presence
 - [4] Aliens Engaged in Significant Trafficking in Persons
 - [5] Aliens Engaged in Money Laundering
- § 7.11 Entry-Exit Controls and the Lookout
- § 7.12 Strategies for Easing Border Admissions
 - [1] Know Your Client
 - [2] Know the Intricacies of Immigration Requirements
 - [3] Know the Free-Trade Officers
 - [4] Know Your Plan of Action

CHAPTER 8

Employer Sanctions

- § 8.01 History and Overview of Employer Sanctions
 - [1] Introduction
 - [2] Developments from 1986 to 1996
 - [3] The Illegal Immigration Reform and Immigrant Responsibility Act of 1996
 - [4] SEVIS
 - [5] 2008 Presidential Order
- § 8.02 Definitions
 - [1] Person or Other Entity
 - [2] Hire
 - [3] Employment
 - [4] Employees Assigned to the Contract
 - [5] Employer
 - [6] Employment in the United States
 - [7] Recruiters and Referrers for Fees
 - [8] Federal Contractors
- § 8.03 The Prohibition against Knowing Employment of Unauthorized Aliens
 - [1] Introduction
 - [2] Unauthorized Alien
 - [3] Actual and Constructive Knowledge
 - [4] Social Security Numbers

- [5] The Defense of Good Faith Verification
- [6] Criminal Offenses
- § 8.04 I-9 Compliance
 - [1] Who Completes I-9 Forms
 - [2] Personnel Requiring Completion of I-9 Forms
 - [3] Personnel Not Requiring Completion of I-9 Forms
 - [4] Timing of Completion of the I-9 Form
 - [5] Completing the I-9 Form
 - [6] National Electronic Verification Programs
 - [7] Employer Defenses
 - [8] Records Retention
 - [9] Document Fraud
 - [10] Proposed Reforms
 - [11] I-9 Compliance for Federal Contractors
- § 8.05 Document Abuse
 - [1] Introduction
 - [2] Avoiding Acceptance of Additional Documents Offered by Employees
 - [3] Avoiding Unjustified Requests for More or Different Documents
 - [4] The Requirement of Intentional Discrimination
- § 8.06 Penalties
 - [1] Knowing Employment, or Contracting for Labor of, Unauthorized Aliens
 - [2] I-9 Violations
 - [3] Indemnity Bonds
 - [4] Document Fraud
 - [5] Document Abuse
 - [6] National Verification Pilot Program
 - [7] Preemption of Other Penalties
- § 8.07 Enforcement
 - [1] I-9 and Knowing Employment Violations
 - [2] Document Abuse Violations
- § 8.08 Issues Arising from Reorganizations
 - [1] Introduction
 - [2] I-9 Verification
 - [3] Work Authorizations
 - [4] Grandfathered Employees
 - [5] Due Diligence

CHAPTER 9

Tax Issues

- § 9.01 Taxation of United States Citizens
 - [1] Overview
 - [2] Living and Working Abroad
 - [3] Expatriation
- § 9.02 Taxation of Foreign Nationals
 - [1] In General
 - [2] Other Taxes
- § 9.03 Determination of Resident Foreign National Status
 - [1] In General
 - [2] Tax Treaties
- § 9.04 Permanent Residence Test
 - [1] In General
 - [2] Revocation of Status
 - [3] Abandonment of Status
- § 9.05 Substantial Presence Test
 - [1] In General
 - [2] Examples
 - [3] Thirty-one Day Rule
 - [4] Counting Days
 - [5] "United States" Defined

§ 9.06 Exceptions to Substantial Presence Test

- [1] In General
- [2] Presence for Fewer Than 183 Days per Year
- [3] Foreign Government-Related Individuals
- [4] Teachers and Trainees (J and Q Status)
- [5] Students
- [6] Professional Athletes
- [7] Medical Condition of Foreign Nationals
- [8] Commuters from Canada and Mexico
- [9] Foreign Nationals in Transit
- [10] Foreign Vessel Crew Members

§ 9.07 Resident Foreign National Election

§ 9.08 Resident Foreign National Starting and Termination Dates

- [1] In General
- [2] Residency Starting Date
- [3] Residency Termination Date
- [4] No Lapse Rule

§ 9.09 Taxation of Nonresident Foreign Nationals

- [1] In General
- [2] Source of Income Rule

§ 9.10 Net Basis Taxation

- [1] In General
- [2] United States Trade or Business
- [3] Effectively Connected Income
- [4] Allowance of Deductions

§ 9.11 Investments in Real Property in the United States

- [1] In General
- [2] Tax on Disposition
- [3] United States Real Property Interest
- [4] Withholding

§ 9.12 Gross Basis Taxation

- [1] Withholding Tax
- [2] Gains
- [3] Income from Real Property
- [4] Interest
- [5] Reduced Rates under a Treaty

§ 9.13 Income Tax Treaties

- [1] In General
 - [2] Model Treaty Provisions
- § 9.14 Withholding from Compensation

- [1] In General
- [2] Wages: Form W-4
- [3] Pensions
- [4] Independent Contractors

§ 9.15 Withholding from Other Income

- [1] In General
- [2] Partnership Income
- [3] Scholarships and Fellowships

§ 9.16 Withholding Exempted or Reduced by a Tax Treaty

- [1] In General
- [2] Employees
- [3] Independent Contractors
- [4] Students, Teachers, and Researchers

§ 9.17 Social Security and Federal Unemployment Taxes

- [1] In General
- [2] Application to Nonimmigrants
- [3] International Social Security Agreements
- [4] Underpayment and Overpayment of FICA and FUTA Taxes

CHAPTER 10

The Interaction Between Immigrant and Nonimmigrant Statuses

§ 10.01 History of Immigrant Preference Categories

§ 10.02 Applying for Employment-Based Permanent Resident Status

§ 10.03 First Preference Category

[1] Extraordinary Foreign Nationals

[2] Outstanding Researchers and Professors

[3] Multinational Managers or Executives

§ 10.04 Second Preference Category

[1] Exceptional Ability

[2] Schedule A Non-Labor Certification Occupations

[3] Advanced-Degreed Professionals

[4] National Interest Waivers

§ 10.05 Third Preference Category

§ 10.06 Labor Certification

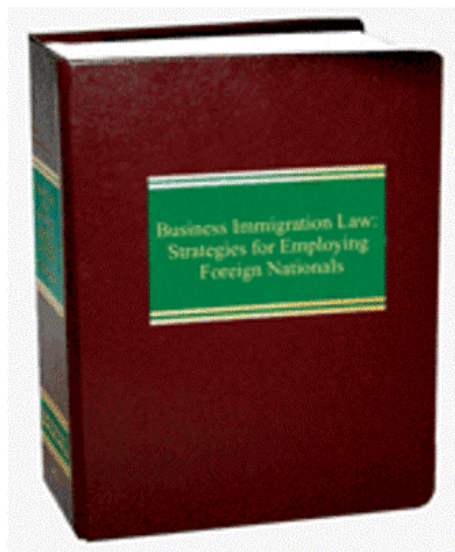
§ 10.07 Immigrant Petition

§ 10.08 Adjustment of Status or Consular Processing of Immigrant Visas

§ 10.09 U.S. Business Structure Effect on Nonimmigrant and Immigrant Categories, Choices, and Interaction

[1] Maximum Stay and EB-1 Petition Process

[2] Consistency Between Filings



Business Immigration Law: Strategies For Employing Foreign Nationals

Editors: Rodney A. Malpert and Amanda Petersen

PRICE: \$289

Shipping and handling is free!

Business Immigration Law: Forms and Filings

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Business Immigration Law: Forms and Filings is a comprehensive guide to help immigration practitioners determine the suitable nonimmigrant work visa category for each client. Examples and explanations are provided in an easy to understand language that describe both common and unusual situations, affecting student and business visitors, treaty traders and investors, NAFTA professionals, specialty occupation workers, and more.

Discussion of every stage of the application process includes: obstacles and solutions to consider before filing; completed sample forms; support letters; supporting document checklists and filing instructions; guidance on applications for initial status, extension, amendment and change of status; needs of dependent family members; and detailed guidance on the new, stricter post-9/11 visa requirements.

Together with its companion volume, [*Business Immigration Law: Strategies for Employing Foreign Nationals*](#), **Business Immigration Law: Forms and Filings** discusses the laws and regulations involving each nonimmigrant work visa category. This book guides the reader - step by step - through the application process. Immigration practitioners, employers, and foreign nationals will find this an indispensable resource.

CHAPTER 1

Administrative, Legislative, and Regulatory Structure

§1.01 Overview of Administrative Structure

- [1] Department of Homeland Security (DHS)
- [2] Department of State (DOS)
- [3] Department of Labor (DOL)
- [4] Department of Health and Human Services (HHS)

§1.02 Overview of Authorities

- [1] Immigration and Nationality Act (INA)
- [2] Code of Federal Regulations (C.F.R.)
- [3] Foreign Affairs Manual (FAM)
- [4] Adjudicator's Field Manual (AFM)
- [5] Administrative Guidance
- [6] Precedent Appeal Decisions
- [7] Other Resources

CHAPTER 2

Strategies and Obstacles to Consider Before Filing

§2.01 Creating an Immigration Strategy: Long-Term versus Short-Term Goals

- [1] Strategic Issues

§2.02 Derivative Status

- [1] Eligibility for Derivative Status
- [2] Concerns of Dependent Family Members

§2.03 Identifying Potential Obstacles

- [1] Inadmissibility and the Grounds of Inadmissibility
- [2] Security Considerations

CHAPTER 3

Obtaining the Visa Status

- §3.01 Introduction
- §3.02 USCIS Filings
 - [1] Lawful Presence Generally
 - [2] When the Beneficiary Is Not Lawfully Present in the U.S.
 - [3] When the Beneficiary Is Lawfully Present in the U.S.
 - [4] Modifications to Lawful Beneficiary Status
 - [5] Variations on the Theme: Complex Filing Situations
 - [6] Naming Conventions
- §3.03 USCIS Processing of Nonimmigrant Filings
 - [1] Technical Requirements (Service Center Preferences)
 - [2] Filing the Petition or Application with the USCIS
 - [3] Processing Times
 - [4] Premium Processing
 - [5] E-Filing
 - [6] Responding to Requests for Evidence
 - [7] Approvals
 - [8] Denials
 - [9] Appeals
- §3.04 Preparation of Non-Work-Authorizing Nonimmigrant Status Applications
 - [1] Generally
 - [2] Checklist for Applications
 - [3] Components of Derivative Filings
 - [4] Form I-539 Application to Extend/Change Nonimmigrant Status and Analysis
 - [5] Support Letter
 - [6] Checklist and Analysis of Necessary Support Documents
- §3.05 Completion of Non-Status-Specific Forms
 - [1] Form G-28 Notice of Admission of Appearance as Attorney
 - [2] Form I-907 Application for Premium Processing
 - [3] Form G-639 FOIA Requests
 - [4] Form I-765 Application for Employment Authorization
- §3.06 Submission of Visa Applications to the Department of State
 - [1] Generally
 - [2] In-Person Visa Applications at U.S. Consulates and Border Posts
 - [3] Nonimmigrant Visa Stamp Applications
- §3.07 Applications for Accelerated Inspection Services
 - [1] Global Entry
 - [2] SENTRI
 - [3] NEXUS
 - [4] OARS
 - [5] FAST
- §3.08 Admission to the United States
 - [1] Overview
 - [2] Admission Documents
 - [3] The Application for Admission
 - [4] Security Considerations
 - [5] Applying for a Social Security Account
 - [6] Starting the Employment
- §3.09 Maintenance of Status
- §3.10 Departing the United States

CHAPTER 4

Students and Business Visitors

- §4.01 Students
 - [1] Overview
 - [2] SEVIS
 - [3] Employment Authorization
 - [4] Changing to Nonimmigrant Work-Authorizing Statuses
- §4.02 Business Visitors

- [1] Overview
- [2] Free Trade Agreements
- [3] Remuneration
- [4] Eligibility for B-1 Status
- [5] Obtaining B-1 Status
- [6] Change of Status
- [7] Extension of Status

CHAPTER 5

Specialty Occupation Workers

§5.01 Overview of Specialty Occupation Workers

- [1] Temporary Workers
- [2] Duration of Stay
- [3] Long-Term and Short-Term Goals
- [4] Spouses and Dependent Family Members
- [5] Strikes or Lockouts

§5.02 Minimum Requirements for the Specialty Occupation

- [1] The Nature of Specialty Occupations
- [2] The Minimum Education Requirement
- [3] The Foreign National Satisfies the Requirements for the Specialty Occupation

§5.03 Labor Conditions: Wages and Benefits

- [1] Overview
- [2] The Required Wage
- [3] Payment of Wages
- [4] Deductions from Wages and/or Reimbursement of Expenses
- [5] Availability of Benefits

§5.04 Additional Labor Conditions: Working Conditions, Strikes and Lockouts, Notice

- [1] Working Conditions
- [2] Strikes and Lockouts
- [3] Notice

§5.05 H-1B Dependent Employers and Willful Violators

- [1] The Employers
- [2] Additional Attestations for H-1B Dependent Employers and Willful Violators
- [3] Exempt Employees for Purposes of the Additional Labor Condition Attestations
- [4] Employers Receiving TARP and Related Funds

§5.06 Evidencing Compliance with Labor Conditions

- [1] The File
- [2] Retention of the Files
- [3] Balancing LCA Obligations with Employees' Concerns
- [4] Specific Documentation
- [5] Enforcement of Labor Conditions
- [6] Filing the Labor Condition Application

§5.07 The Employment

- [1] The Job Offer
- [2] Concurrent Employment
- [3] The Petitioner
- [4] Multiple Beneficiaries
- [5] Multiple Worksites

§5.08 The Annual Quota

- [1] H-1B Quota
- [2] H-1B1 Quota
- [3] Graduates of U.S. Master's Programs
- [4] Foreign Nationals Who Are Exempt from the Quota
- [5] Discontinuance of Exempt Employment
- [6] Concurrent Employment
- [7] Strategy Considerations

§5.09 Analysis of Sample Occupations

- [1] Fashion Models
- [2] Physicians
- [3] Nurses
- §5.10 Comparison of H-1B Status to Other Nonimmigrant Statuses
 - [1] H-1B Status versus H-1B1 Status
 - [2] Specialty Occupations versus H-2B Status
 - [3] Specialty Occupations versus E Status
 - [4] Specialty Occupations versus L Status
 - [5] Specialty Occupations versus O Status
 - [6] H-1B Status versus TN Status
- §5.11 Procedure for Obtaining H-1B and E-3 Visas
 - [1] Process
 - [2] Filing Components for Consular H-1B1 or E-3 Visa Applications
- §5.12 Procedure for Obtaining the H-1B Classification
 - [1] Process
 - [2] Filing Components for the H-1B Petition
 - [3] Filing Fees
 - [4] Where to File
 - [5] Limitations of Petition Approval
- §5.13 Qualifications Checklist for Specialty Occupations
- §5.14 Preparation of the H-1B Petition and Related Forms
 - [1] Form I-129 Petition for Nonimmigrant Worker
 - [2] H Supplement to Form I-129
 - [3] Form H-1B Data Collection and Filing Fee Exemption Supplement
- §5.15 Preparation of the Supporting Forms and Documents
 - [1] ETA 9035/9035E Labor Condition Application
 - [2] Support Letter
- §5.16 Termination of the Employment
 - [1] "At-Will" Employment versus the Authorized Stay
 - [2] Documentation
 - [3] Effect on Status
 - [4] Notice of Termination
 - [5] Employee Options
 - [6] Employer Obligations
 - [a] Notice to the USCIS
 - [b] Return Transportation Costs
 - [7] Cessation of Payment of the Required Wage
 - [8] Penalties or Liquidated Damages for Early Termination
 - [9] Eligibility for Unemployment Benefits
 - [10] H-1B Dependency
 - [11] Reductions in Force
 - [12] Permanent Residence
 - [13] Rehiring a Terminated H-1B Employee
- §5.17 Portability Petitions
- §5.18 Changes in the Employment
 - [1] Overview
 - [2] Organization-wide Changes
 - [3] Filing Procedure for Amendment Petitions
- §5.19 Extension Petitions
 - [1] Overview
 - [2] Types of H-1B Extension Petitions
 - [3] Filing Procedure for Extensions of Status
- §5.20 Change of Status Petitions
 - [1] Generally
 - [2] Beneficiary Must Be in Status at Time of Filing
 - [3] Eligibility for the Requested H Classification
 - [4] Petitioning to Change to H-1B or H-1B1 Status

CHAPTER 6

L-1A / L-1B Multinational Transfers

§6.01 Overview of L Status

§6.02 Definitions and Analysis of Essential Terms

- [1] The Employer
- [2] Qualifying Organization
- [3] Qualifying Employment

§6.03 Comparison of L Status to Other Common Nonimmigrant Statuses

- [1] L Status versus E Status
- [2] L Status versus H-1B Status
- [3] L Status versus O Status
- [4] L Status versus TN Status

§6.04 Procedure for Obtaining L Status

- [1] Generally
- [2] USCIS Adjudication
- [3] Consular Adjudication
- [4] Spouses and Dependents

§6.05 Preparation of Individual L Petition and Support Documents

- [1] Checklist for Individual L Filings
- [2] Components of Individual L Filings
- [3] Form I-129 Petition for Nonimmigrant Beneficiary and Analysis
- [4] L Supplement to Form I-129 and Analysis
- [5] Support Letter
- [6] Checklist and Analysis of Necessary Support Documents

§6.06 New Office

- [1] Generally
- [2] Checklist for New Office Filings
- [3] Components of New Office Filings
- [4] Changes and/or Additions to Forms and Support Documents
- [5] Support Letter
- [6] Supporting Documentation
- [7] Extensions of L Status for Beneficiaries Employed by New Offices

§6.07 Blanket L Program Petition

- [1] Generally
- [2] Initial Blanket L Program Petitions
- [3] Blanket L Status Applications by Beneficiaries
- [4] Extension of Blanket L Programs
- [5] Amendment of Blanket L Programs
- [6] Extensions of L Status for Beneficiaries Who Entered the United States under Blanket L Programs

§6.08 Free Trade Agreements

- [1] NAFTA
- [2] Free Trade Agreements with Chile and Singapore

§6.09 Material Changes in L Status

- [1] Generally
- [2] Mergers, Acquisitions, and other Types of Reorganization
- [3] Changes to, or Cessation of, the U.S. Employer's Business in the United States
- [4] Changes to, or Cessation of, the Qualifying Business Activities Outside the United States
- [5] Changes to the Beneficiary's Employment

§6.10 Amendment, Extension, and/or Recapture of Individual L Status

- [1] Overview of Amendment Petitions
- [2] Overview of Extension Petitions
- [3] Beneficiary Must Be in Status at Time of Filing
- [4] Checklist for Amendment, Extension, and/or Recapture Filings
- [5] Components of Amendment, Extension, and/or Recapture Filings
- [6] Filing for Amendment, Extension, and/or Recapture of L Status

- [7] Changes and/or Additions to Forms and Documents for Petitions of Amendment, Extension, and/or Recapture
- §6.11 Change of Status
 - [1] Generally
 - [2] Beneficiary Must Be in Status at Time of Filing
 - [3] Eligibility for the Requested L Classification
 - [4] Checklist for Change of Status Filings
 - [5] Component of Elements for Change of Status Filings
 - [6] Changes and/or Additions to Forms and Document for Change of Status Filings

CHAPTER 7

E-1/E-2 Treaty Traders and Treaty Investors

- §7.01 Overview of E Status
- §7.02 Definitions and Analysis of Essential Terms
- §7.03 Visas, Admission, and Stay
 - [1] Primary Applicants
 - [2] Spouses and Dependent Children
 - [3] Validity and Stay
- §7.04 Nationality
 - [1] Individuals
 - [2] Employment Situations
- §7.05 The United States Activities
 - [1] Direct Trade or Investment Activities
 - [2] Employment Activities
- §7.06 E-1 Treaty Trader
 - [1] The Trade Involves Qualifying Items or Services
 - [2] The Trade Exists
 - [3] The Trade Is Primarily with the Treaty Country
 - [4] The Trade Is Substantial
- §7.07 E-2 Treaty Investor
 - [1] The Enterprise Is *Bona Fide*
 - [2] The Investor Is the Source of the Funds
 - [3] The Investment Must Be at Risk
 - [4] The Investment Must Be Committed
 - [5] The Investment Must Be Substantial
 - [6] The Investor Will Direct or Develop the Enterprise
- §7.08 The Use of Treaty Investment Status for Consulting Businesses
- §7.09 Comparison of E-1 Status to Other Nonimmigrant Statuses
 - [1] E Status versus H-1B Status
 - [2] E Status versus L Status
 - [3] E Status versus O Status
 - [4] E Status versus TN Status
 - [5] E Status versus E-3 Status
- §7.10 Components, Checklist, and Filing Procedure
 - [1] Components
 - [2] Checklist
- §7.11 Completion of Forms and Support Documents
 - [1] E-1 Treaty Trader (Filed with USCIS)
 - [2] E-2 Treaty Investor Application (Filed with Consulate)
 - [3] Checklist and Analysis of Necessary Support Documents
- §7.12 Extensions and/or Amendments
 - [1] Overview
 - [2] Procedure for Amending or Extending E Status
- §7.13 E Status under Free Trade Agreements

CHAPTER 8

NAFTA TN Professionals

- §8.01 Overview of TN Status

- [1] Generally
- [2] Terminology
- [3] Spouses and Dependents
- [4] The Nature of the Employment
- [5] Authorized Stay
- [6] Strikes or Lockouts
- §8.02 Comparison of TN Status to Other Nonimmigrant Statuses
 - [1] TN versus H-1B Status
 - [2] TN versus L-1 Status
 - [3] TN versus E Status
 - [4] TN versus O Status
- §8.03 Procedure for Obtaining TN Status
 - [1] Generally
 - [2] Consular Adjudication of Mexican TN Visa Applications
 - [3] Admission into the U.S. by Canadians and Mexicans in TN Status
 - [4] Denials and Appeals
- §8.04 Obtaining Initial Grants of TN Status
 - [1] Checklist
 - [2] Components
 - [3] Procedure
- §8.05 Preparing Forms DS-156 and DS-157 Nonimmigrant Visa Stamp Applications for Mexican TN Applicants
 - [1] Preparation of Form DS-156
 - [2] Preparation of Form DS-157
- §8.06 Completion of Support Documents
 - [1] Support Letter from Employer and Analysis
 - [2] Checklist and Analysis of Support Documents
- §8.07 Extending or Changing to TN Status
 - [1] Generally
 - [2] Overview of Extending or Changing to TN Status
 - [3] Checklist for Extending or Changing to TN Status
 - [4] Procedure for Extending or Changing to TN Status
 - [5] Form I-129 Petition for Nonimmigrant Worker and Analysis
 - [6] Completion of the Free Trade Supplement
 - [7] Support Letter
 - [8] Support Documents for Amending or Renewing TN Status
- §8.08 Amending TN Status

CHAPTER 9

O-1 Foreign Nationals with Extraordinary Abilities

- §9.01 Overview
 - [1] Generally
 - [2] Spouses and Dependents
 - [3] Authorized Stay
 - [4] Nature of Employment
- §9.02 Definitions and Analysis of Essential Terms
 - [1] Alien
 - [2] Arts
 - [3] Beneficiary
 - [4] Distinguished Reputation
 - [5] Event
 - [6] Extraordinary Ability
 - [7] The Field
 - [8] Peer Group
 - [9] Petitioner
- §9.03 Evidencing Extraordinary Ability
 - [1] Overview
 - [2] "Extraordinary" in the Context of the Occupation

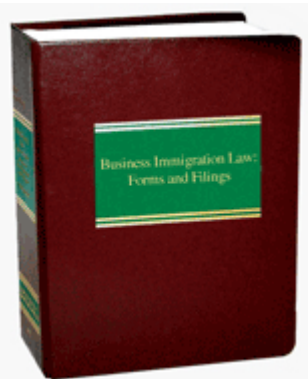
- [3] Sustained Records of Achievement
- [4] The Evidence
- §9.04 Comparison of O Status to Other Nonimmigrant Statuses
 - [1] O Status versus H-1B Status
 - [2] O Status versus L Status
 - [3] O Status versus E Status
 - [4] O Status versus TN Status
 - [5] O Status versus P-1 Status
- §9.05 Procedure for Obtaining O Status
 - [1] Filing the Petition
 - [2] USCIS Adjudication
 - [3] Consular Adjudication
- §9.06 Qualifications Checklist and Filing Components
 - [1] Qualifications Checklist
 - [2] Filing Components
- §9.07 Preparation of Forms and Support Documents
 - [1] Form I-129 for Nonimmigrant Worker
 - [2] O and P Classifications Supplement to Form I-129
 - [3] Support Letter
 - [4] Peer Group Consultation
 - [5] Checklist and Analysis of Supporting Documentation
- §9.08 Amendment and Extension Petitions
 - [1] Extension Petitions
 - [2] Amendment Petitions
 - [3] Procedure for Amendment and Extension Petitions
 - [4] Changes and/or Additions to Forms and Documents for Petitions of Amendment and Extension
- §9.09 Change of Status
 - [1] Generally
 - [2] Beneficiary Must Be in Status at Time of Filing
 - [3] Components of Elements for Change of Status Filings
 - [4] Changes and/or Additions to Forms and Documents for Change of Status Filings

CHAPTER 10

Temporary Non-Agricultural Workers

- §10.01 Overview
 - [1] Background
 - [2] Duration of Stay
 - [3] Long- and Short-Term Goals
 - [4] Spouses and Dependent Family Members
 - [5] Strikes or Lockouts
 - [6] The Agencies That Process H-2B Visas
- §10.02 The Employment
 - [1] Why Details Are Important
 - [2] The Employer
 - [3] The Job Offer
 - [4] The Beneficiary(ies)
- §10.03 Labor Certification
 - [1] Labor Certification Defined
 - [2] The State Workforce Agency: Recruitment
 - [3] The National Processing Center
- §10.04 The Annual Quota
 - [1] H-2B Quota
 - [2] Returning Workers
 - [3] Timing the Filings: Strategy Considerations
- §10.05 Comparison to Other Nonimmigrant Statuses
 - [1] H-2B Status versus H-1B and H-1B1 Status
 - [2] H-2B Status versus E Status

- [3] H-2B Status versus L Status
- [4] H-2B Status versus O Status
- [5] H-2B Status versus TN Status
- §10.06 Procedure for Obtaining the H-2B Classification
 - [1] Qualifications Checklist
 - [2] Overview of the Process
 - [3] Labor Certification
 - [4] USCIS Filing
- §10.07 Preparation of the H-2B Labor Certification
 - [1] Form ETA 9142 Application for Temporary Employment Certification
 - [2] Draft Advertisement
 - [3] Support Letter
 - [4] Supporting Documentation
 - [5] Final Recruitment Report
- §10.08 Preparation of the H-2B Petition and Related Forms
 - [1] Form I-129 Petition for Nonimmigrant Worker
 - [2] Supplement A to the Form I-129 Petition
 - [3] H Supplement to Form I-129
- §10.09 Preparation of the Supporting Forms and Documents for the USCIS Filing
 - [1] Support Letter
 - [2] Petition Approval or Denial
 - [3] Admission upon Approval
 - [4] Visa Exit Program
- §10.10 Termination of the Employment
 - [1] Documentation
 - [2] Effect on H-2B Status
 - [3] Reporting Requirement
 - [4] Cessation of Payment of the Required Wage
 - [5] Return Transportation
- §10.11 Changes in the Employment
 - [1] Generally
 - [2] Substitution of Beneficiaries
- §10.12 Extension Petitions
 - [1] Overview
 - [2] Beneficiary Works in the U.S. Fewer Than 183 Days per Year
 - [3] Petitioning to Change to H-2B Status



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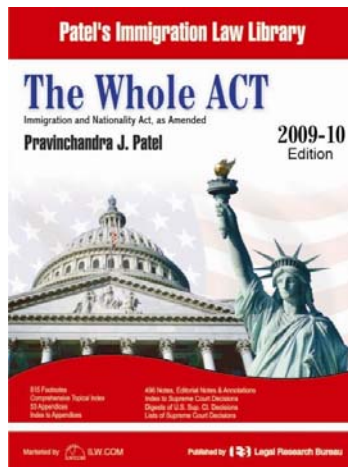
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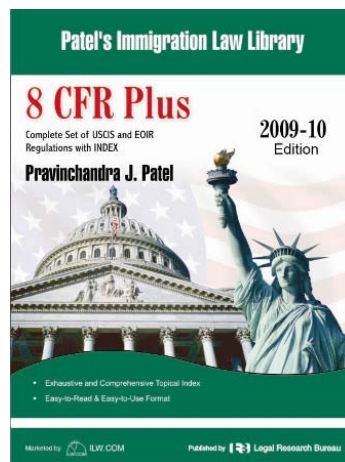
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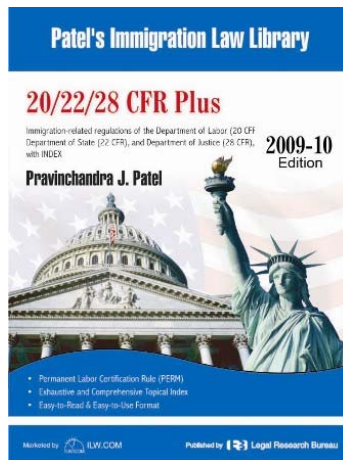
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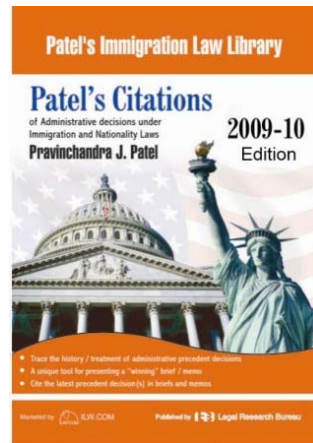
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