



Three-Part Telephone & E-mail Seminar:

Employer Compliance For Experts

Speakers: Patrick Shen, Ronald "Alan" Atkinson (USCIS), Don Crocetti (USCIS), Cynthia Lange, Priscilla H. Muhlenkamp, Michael Patrick, Shannon Slattery (USCIS), Jennifer Sultan (DOJ) and Allen Vanscoy (ICE)

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Seminar Outline

FIRST Phone Session on January 28: The Obama Administration's New Enforcement Focus

This presentation is premised on DHS Worksite Enforcement priorities as provided in the April 30, 2009 announcement by Secretary Napolitano, and subsequent initiatives announced throughout 2009. The presenters will discuss briefly the policy of the Obama Administration, but the bulk of the presentation will be practical tips and best practices on how to avoid liabilities and prepare for federal and state audits. Program highlights include:

- Establishing an in-house I-9 compliance program to reduce your clients' liabilities
- Preparing for an ICE and state government I-9 audit
- Avoiding pitfalls that may result in, and defending against, employment discrimination claims

SECOND Phone Session on February 18: Maintaining a Legal Workforce

The speakers during this program will discuss recent Department of Labor enforcement, including enforcement and adjudication trends involving the labor condition application and PERM applications. The program also will include a segment on audits by the US Citizenship and Immigration Services' Office of Fraud Detection and National Security (FDNS) on H-1B petitions. Program highlights include:

- Best practices on maintaining LCA and PERM files
- Tips on how to prepare for an LCA or PERM audit
- Better understanding of what to expect during the FDNS site visits and how best to prepare for such visits

THIRD Phone Session on March 11: Proliferation of E-Verify

In today's heightened enforcement environment, the federal government and an increasing number of state governments are requiring employers to participate in E-Verify, an electronic employment eligibility program. Beginning September 8, 2009, many federal contractors and their subcontractors are required to begin using E-Verify. In addition, the government is utilizing sophisticated data-mining techniques to monitor employer usage and to scrutinize employers' compliance with the complex terms of participation. Program highlights include:

- Obama Administration's emphasis on E-Verify and impact on federal contractors
- Trends among state legislation requiring use of E-Verify and complications for employers with multi-state presence
- Liabilities that may result from enforcement of new monitoring and compliance regulations

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ABOUT THE SPEAKERS

Patrick Shen (Discussion Leader) is Fragomen's Director of Global Compliance and a senior member of the firm's Corporate Compliance Committee. In this capacity, he works with U.S. and multinational clients in maintaining compliant immigration programs. Prior to rejoining Fragomen, Patrick was appointed by the President and confirmed unanimously by the United States Senate as Special Counsel for Immigration-related Unfair Employment Practices in the Justice Department's Civil Rights Division. He also served as Policy and Planning Director of U.S. Immigration and Customs Enforcement in the Department of Homeland Security, and Chief Immigration Counsel of the Senate Judiciary Committee. Earlier in his career, Patrick spent several years as an immigration litigator for the Justice Department, having served as Assistant District Counsel of the former Immigration and Naturalization Service (INS) and a trial lawyer in the United States Attorney's Office in Brooklyn, NY as well as the Justice Department in Washington, DC, representing INS and other agencies in federal courts. He also had a stint in private practice as Director of Government Relations for Fragomen prior to his presidential appointment.

Ronald "Alan" Atkinson is Chief of Staff of the USCIS Directorate of Fraud Detection and National Security (FDNS).

Louis "Don" Crocetti, Jr. is Associate Director of Fraud Detection and National Security Directorate at the U.S. Citizenship and Immigration Services. He began his career with the legacy Immigration and Naturalization Service (INS) in 1976. He served in INS' officer corps through 1983, when he joined the ranks of management. Mr. Crocetti has managed all aspects of an INS field office Operation, which includes Adjudications, Inspections, Investigations, Detention & Deportation, Records, and Information. While in the field, Mr. Crocetti served as an Assistant Director, Deputy District Director, and District Director. After 18 years in the field, Mr. Crocetti was reassigned to legacy INS Headquarters, where he served as an Associate Commissioner, responsible for leading the development of national policy and programs in the area of Adjudications, Information, Inspections, and Records, as well as the direction and oversight of INS' Administrative Appeals Operation. Upon the abolishment of INS in early 2003, Mr. Crocetti was designated as Interim Director of U.S. Citizenship and Immigration Service's Eastern Region to assist in the transition to the new Department of Homeland Security. In late 2003, Mr. Crocetti was assigned to USCIS Headquarters to lead the research, development, and implementation of the USCIS Fraud Detection and National Security Division, where he served as Chief until January 2010. Mr. Crocetti is presently the Associate Director of the Fraud Detection and National Security Directorate as a result of agency reorganization. As the Associate Director of FDNS, Mr. Crocetti also serves as USCIS Director of Intelligence. Mr. Crocetti holds degrees in criminal justice and jurisprudence, and is a graduate of the University of Baltimore.

Cynthia Lange is Partner at Fragomen, Del Rey, Bernsen and Loewy, LLP. Ms. Lange leads the firm's High Tech practice in the heart of Silicon Valley. As the Managing Partner of the firm's Northern California practice, she directs the strategic representation of companies ranging from large fortune 500 companies to small start-up companies in the firm's "e-group." She has worked with numerous companies to set up and manage worldwide immigration compliance programs. Ms. Lange is a long time Adjunct Professor at Southwestern University School of Law where she has taught since 1988. She also frequently lectures on corporate immigration and, as a thought leader in the industry, she has written numerous articles on business immigration law matters. Ms. Lange is also the Managing Partner in charge of the firm's I-9 Service Center, which offers state of the art electronic I-9 tools and advisory services for proper I-9 and E-Verify completion. She specializes in government investigations, audits and establishing compliance programs for companies. Ms. Lange joined Fragomen over 22 years ago, after beginning her career at the U.S. Department of Justice as an INS trial attorney.

Priscilla H. Muhlenkamp is an Associate with the Washington DC office of Fragomen, Del Rey, Bernsen & Loewy. She advises multinational corporations on employment-related immigration issues, focusing on strategic immigration planning and regulatory compliance. She currently leads a legal team servicing clients in a wide-variety of industries including Information Technology, Management Consulting, Energy, and Telecommunications. Ms. Muhlenkamp frequently lectures on business immigration topics including Labor Condition Application Compliance, Employer Sanctions and Form I-9 Compliance. Ms. Muhlenkamp is a 1995 graduate of the University of Virginia and received her law degree from the William & Mary School of Law in 1998.

Michael Patrick is Partner and General Counsel at Fragomen, Del Rey, Bernsen & Loewy, LLP in New York. Mr. Patrick is admitted to the New York Bar and serves as Co-Chair of the Corporate Compliance Committee for the firm, Co-Chair of the Immigration Litigation Committee of the Commercial and Federal Litigation Section of the New York State Bar Association, and is a member of the Second Circuit Committee on Admissions and Grievances, International Security Affairs Committee ABCNY, American Bar Association, the International Bar Association, the Federal Bar Council (Trustee), AILA, and the American Foreign Lawyers Association (Treasurer, 2004-2009). Former Partner, Campbell, Patrick & Chin; former Special Assistant United States Attorney, Southern District of New York and Chief, Immigration Unit, Civil Division; former Assistant Corporation Counsel, City of New York; frequent faculty member of NITA at Hofstra and ITAP at Cardozo; Columnist, New York Law Journal. Mr. Patrick received the Dean's Award for Distinguished Hofstra Law School Alumni in May 2000 and is listed in the current editions of Best Lawyers in America, Super Lawyers and Chambers USA: America's Leading Business Lawyers.

Shannon Slattery is the Management & Program Analyst of the Verification Division in the U.S. Citizenship and Immigration Services. Shannon Slattery serves as a Management & Program Analyst for the Outreach Branch of the Verification Division at U.S. Citizenship and Immigration Services (USCIS). The Verification Division includes both E-Verify and SAVE (Systematic Alien Verification for Entitlements Program). Prior to joining the Verification Division, Ms. Slattery served as an Adjudications Officer in the Baltimore District Office, where she adjudicated applications for Adjustment of Status and Naturalization. Prior to joining USCIS, she handled felony and misdemeanor trials and legislative coordination as an Assistant Public Defender for the Maricopa County Public Defender's Office in Phoenix, Arizona. Ms. Slattery is a graduate of the University of Arizona and Creighton University School of Law. She is a member of the State Bars of Arizona and Maryland.

Jennifer Sultan is Acting Special Litigation Counsel in the Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC), in



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the Civil Rights Division of the U.S. Department of Justice. Ms. Sultan has investigated charges of discrimination as part of OSC's mandate to enforce the anti-discrimination provision of the Immigration and Nationality Act (INA), and has determined whether reasonable cause exists to file a lawsuit. During her time at OSC, Ms. Sultan has favorably resolved numerous charges of discrimination and has educated many workers, worker advocates and employers about their rights and responsibilities under the anti-discrimination provision of the INA. Ms. Sultan also serves as OSC's liaison with USCIS on E-Verify and related programs, such as the revised I-9 Form and Employer Handbook. Ms. Sultan is a member of the District of Columbia Bar Association and the New York State Bar Association. Prior to joining the Department of Justice, Ms. Sultan was a litigation associate in the New York office of Fulbright & Jaworski LLP. While at the law firm, she also worked on pro bono matters involving prisoner abuse and withholding of deportation proceedings. Ms. Sultan is a graduate of Cornell University. She earned her law degree at Northwestern University School of Law where she was an editor on the Journal of International Law & Business. The mission of OSC is to educate both legally authorized workers and their employers about the anti-discrimination provision of the INA, enforce legal protections against citizenship and national origin discrimination, and document abuse in hiring, firing, and referral for a fee.
