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1. **U.S. CITIZENSHIP & IMMIGRATION SERVICES (CIS) PROPOSES INCREASE IN FILING FEES**

U.S. Citizenship & Immigration Services (CIS) published a Proposed Rule in CIS filing fees that would increase filing fees by approximately 10% for most types of petitions and applications for immigration benefits. For some types of cases, including some of the most common types of petitions and applications, the proposed filing fees will be significantly higher. Additionally, a new fee of \$6,230 will be applied to all applications for Regional Center designation under the EB-5 Immigrant Investor Pilot Program.

The following chart lists some of the most common types of petitions and applications:

Form	Description	Current Fee	Fee on July 30
I-129	Nonimmigrant Visa Petition (e.g. H, L, O, P visa petitions)	\$320	\$325
I-130	Immediate Relative Immigrant Petition (e.g., for spouse of U.S. Citizen)	\$355	\$420
I-131	Application for Travel Document (e.g., Advance Parole, Reentry Permit)	\$305	\$360
I-140	Immigrant Visa Petition (employment-based)	\$475	\$580
I-485	Application to Adjust Status (“green card” application)	\$930	\$985
I-526	Immigrant Petition by Alien Entrepreneur (“investor visa”)	\$1,435	\$1,500
I-539	Application to Extend or Change Nonimmigrant Status	\$300	\$290

I-751	Petition to Remove Conditions on Permanent Residence	\$465	\$505
I-765	Application for Employment Authorization	\$340	\$380
I-829	Petition by Entrepreneur to Remove Conditions	\$2,850	\$3,750
N-400	Application for Naturalization (U.S. Citizenship)	\$595	\$595

2. U.S. CITIZENSHIP & IMMIGRATION SERVICES (CIS) CONTINUES TO ACCEPT H-1B PETITIONS UNDER THE REGULAR AND “MASTERS” CAPS

U.S. Citizenship & Immigration Services (CIS) announced that, as of June 11, 2010, the CIS had received approximately 22,000 H-1B petitions that were counted under the regular 65,000 H-1B cap, and approximately 9,400 H-1B petitions that were counted under the additional 20,000 “Masters” cap for Fiscal Year 2011.

H-1B usage continues to lag behind previous years, and it is expected that H-1B visas will remain available for several more months. It is possible that a spike in H-1B filings could occur in June and July, following the Spring graduation dates, when additional F-1 students will meet the Bachelors degree requirement for H-1B petitions and will formally enter the job market.

Avoiding the “Cap Gap” in Employment Authorization

Although H-1B numbers remain readily available, it is important to pursue H-1B petitions as soon as possible for any F-1 students who might otherwise experience a “gap” in employment authorization upon the expiration of their Optional Practical Training Employment Authorization Document (EAD) cards.

Students who have EAD cards that will expire during the summer will need to have an H-1B petition filed on their behalf prior to the expiration of their EAD cards in order to take advantage of the automatic “extension” of their employment authorization through October 1, 2010, the beginning of Fiscal Year 2011, and the first day of FY-2011 H-1B petition validity.

To initiate a new H-1B petition, or for assistance in evaluating other visa options for existing employees and new hire candidates, please contact your FosterQuan immigration attorney. As always, FosterQuan will continue to monitor H-1B visa availability and will make future information available via future Immigration Updates© as appropriate, and on our firm’s website at www.fosterquan.com.

3. U.S. CITIZENSHIP & IMMIGRATION SERVICES (CIS) REDESIGNS E-VERIFY ONLINE INTERFACE

Effective June 13, 2010, CIS has redesigned its E-Verify online interface. Users will be required to complete a free 20-minute tutorial the next time they log in before using the new

interface. In addition, the CIS has instituted a “1-2-3” step process to help employers verify an employee’s work authorization.

FosterQuan generally recommends that its clients utilize a vetted software with an E-Verify interface, response tracking system and alerts rather than merely using the E-Verify website. Should you encounter difficulty with the new interface or require additional information regarding E-Verify tutorials and requirements, please contact your FosterQuan immigration attorney for assistance.

The FosterQuan Workforce Compliance practice group and I-9 Solver® team is ready to assist clients in evaluating the costs and benefits of enrolling in E-Verify, its proper implementation and the potential responsibilities and perhaps liabilities associated with E-Verify and Form I-9 Employment Eligibility Verification needs.

4. MEXICAN IMMIGRATION INSTITUTE (INM) REVISES FM-3 VISA PROCEDURES FOR U.S. CITIZENS; New FM-3 ID Card To Replace Old FM-3 Booklet

The Mexican Immigration Institute (INM) recently published a new procedures manual and is still in the process of implementing major changes as a result of this new guide. As promulgated in the manual, the procedures for U.S.-based employees entering Mexico have been modified to clarify that there is no visa requirement for admissions of U.S. citizens for less than 180 days for purposes of providing technical services without receiving any remuneration in Mexico. INM has further clarified in that periods of stay longer than 180 days for the purpose of providing technical services will require a visa, regardless of the source of remuneration for services. Visa application must be made at the Mexican Consulate with jurisdiction over the applicant’s residence.

As INM moves toward a more consistent implementation of these procedural changes, the FM-3 booklet will be phased out and replaced by an FM-3 ID Card, and additional procedural guidance and clarification can be expected.

For more information on these changes in visa procedures and requirements, and to initiate new visa applications, contact your FosterQuan immigration attorney. Our experienced immigration professionals in FosterQuan’s Global Immigration practice group are ready to assist with your company’s global immigration needs. As always, FosterQuan will continue to monitor developments related to visa application requirements and procedures and will make additional information available via future Immigration Updates© and on our firm’s website at www.fosterquan.com.