USCIS ANNOUNCES EXPANSION OF ADMINISTRATIVE SITE VISITS AND VERIFICATION PROGRAMS

In U.S. Citizenship and Immigration Services' ("USCIS") response to a letter sent by U.S. Senator Charles Grassley inquiring about aspects of the H-1B visa program and USCIS' efforts to combat fraud in the program, USCIS announced that, among other measures, it plans to expand its Administrative Site Visit and Verification Program ("ASVVP") up to 25,000 site visits in Fiscal Year 2010 from the 5,916 site visits performed in Fiscal Year 2009. USCIS commenced operation of ASVVP in July 2009 in order to determine whether the location of employment actually exists and if the beneficiary is employed at the location specified, is performing the duties as described and is being paid the salary as identified in the H-1B petition. Initially, USCIS has been focusing the ASVVP on post-adjudication H-1B site inspections.

Additionally, USCIS intends to access independent, open-source commercial sources to obtain information relevant to its adjudicatory process. For example, on September 30, 2009, USCIS announced that it had awarded a contract to Dunn and Bradstreet to act as an independent information provider for its new program, the Verification Initiative for Business Enterprises ("VIBE"). The VIBE program is an internet-based service that uses commercially available data from an independent information provider to verify information submitted by companies and organizations that petition to employ foreign workers. USCIS anticipates that VIBE will be implemented by the spring of 2010.

For more information, please click on the following link:

USCIS' Letter to U.S. Senator Grassley

Should you wish to receive further information concerning matters discussed in the Immigration Bulletin, please contact:

Sarah Lea Tobocman, Esq. Chair, Immigration Practice Group STobocman@gunster.com (305) 376-6065

Jay Carmichael, Esq.
Shareholder, Immigration Practice Group JCarmichael@gunster.com (305) 376-6090

Luciana C. Melo, Esq. Associate, Immigration Practice Group <u>LMelo@gunster.com</u> (305) 376-6086

Mariana R. Ribeiro, Esq. Associate, Immigration Practice Group MRibeiro@gunster.com (305) 376-6031

This Bulletin is for general information only. It is not legal advice and legal counsel should be contacted before any action is taken which might be influenced by this Bulletin.

Established in 1925, Gunster Yoakley is one of Florida's oldest and largest full-service law firms. Its substantial and diversified practice serves an extensive client base of international, national and local businesses, institutions, local governments and prominent individuals. The firm maintains a strong presence in Florida with offices in Fort Lauderdale, Miami, Palm Beach, Stuart, Vero Beach, West Palm Beach, Jacksonville, and Tallahassee. Gunster Yoakley is home to more than 137 attorneys and 329 employees, providing counsel to clients through 10 practice groups including corporate, immigration, employment, technology and emerging companies, tax, banking and financial services, real estate, land use and environmental, business litigation, and private wealth services.

To **unsubscribe**, reply to this e-mail and type **unsubscribe** in the subject line of your reply.

Gunster, Yoakley & Stewart P.A. One Biscayne Tower, Suite 3400 2 South Biscayne Boulevard Miami, Fl 33131

Issued December 17, 2009

MIAMI 474001.2