



# Rona M. Lum, P.C.

## Attorneys at Law

Immigration Law Updates

September 10, 2008

### The Visa Efficiency and E-Verify Extension Act of 2008

Legislation was introduced in the U.S. Senate by Robert Menendez (D-NJ) to renew the electronic system for employers (E-Verify) and to ensure that unused work or family-based visas are fully utilized.

The Visa Efficiency and E-Verify Extension Act of 2008 includes the following bills:

**Recapture of Unused Visas:** This bill recaptures unused or unclaimed employment-based and family-based visas from fiscal years 1992 through 2007 and allows unused family and employment-based visas in future years to automatically roll over to the next fiscal year. This act will be effective 60 days after date of enactment.

**Extension of the Conrad State 30 Program:** The bill extends the Conrad State 30 program for 5 years to June 1, 2013. The Conrad State 30 program is designed to provide each of the 50 U.S. states with 30 waivers for J-1 physicians for each fiscal year.

**Extension of Religious Worker Program:** The bill requires the Department of Homeland Security to issue final regulations to eliminate or reduce fraud related to the granting of special immigrant status for individuals working in a religious vocation or occupation. The bill extends the special immigrant non-minister religious worker program to October 1, 2011. The DHS Inspector shall submit on the effectiveness of the regulations to reduce fraud by 2010.

**Reauthorization of E-verify:** This bill reauthorizes the DHS's Basic Pilot electronic employment eligibility verification program, also known as "E-Verify." This legislation provides for a 5-year extension of this program for the electronic employment verification of employees.

**Protection of Social Security Administration Programs:** This legislation requires DHS to provide timely and appropriate payments to the Social Security Administration so that E-verify does not interfere with SSA's ability to serve seniors, people with disabilities, and survivors.

**Government Accountability Office (GAO) Study of Basic Pilot Confirmation System:** This bill requires the GAO to report to Congress on the causes of erroneous tentative nonconfirmations, how they are remedied and the effect they have on individuals, employers and federal agencies.

It also requires the GAO to examine the experiences of small businesses, non-profits and municipalities with using E-Verify.

Our firm will be closely tracking the status of this legislation and will report on updates, as this legislation will have a direct impact on many of our client's businesses.

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### Michigan Participating in National Verification System

On August 20, 2008, Secretary of State Terri Lynn Land announced that her department is now using the Social Security Online Verification (SSOLV) system developed by the American Association of Motor Vehicle Administrators and the U.S. Social Security Administration. The SSOLV system enables states to immediately compare a person's name, date of birth, and Social Security number with information in the Social Security Administration's master file.

Michigan law now requires legal presence for all driver's license and ID cardholders. First time applicants must establish legal presence by providing specific documentation, including a valid Social Security number or proof of ineligibility from the Social Security Administration. Effective immediately, Michigan's Department of State Secretary Land anticipates that the vast majority of applicants will be unaffected by immediate verification. However, applicants who have changed their names due to marriage or divorce are advised to take the following steps to ensure a smooth transaction:

- 1) Correct your name with the Social Security Administration.  
You can locate the closest Social Security office by accessing their website: [www.ssa.gov](http://www.ssa.gov).
- 2) Allow up to 72 hours before visiting a Secretary of State office so that the SSA has time to update its database.
- 3) Bring proof of name change, such as a certified marriage license or divorce decree, to the Secretary of State's office.

If you have questions, please contact my office.

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The information contained in this e-newsletter is intended as information only, and is not to be construed as legal advice.



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