

ALERTS

Immigration Update

Immigration Team

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10-Fingerprint Scanners to Deploy at all Ports of Entry

The Department of Homeland Security plans to replace the current two-fingerprint scanners with new 10-fingerprint scanners at all U.S. ports of entry over the next year.

Starting on November 29, 2007, Homeland Security began the initial transition at Washington Dulles International Airport. In early 2008, nine U.S. airports will also collect additional fingerprints from international visitors. They include:

- Boston Logan International Airport (Boston, Mass.)
- Chicago O'Hare International Airport (Chicago, Ill.)
- Detroit Metropolitan Wayne County Airport (Detroit, Mich.)
- Hartsfield-Jackson Atlanta International Airport (Atlanta, Ga.)
- George Bush Houston Intercontinental Airport (Houston, Texas)
- Miami International Airport (Miami, Fla.)
- John F. Kennedy International Airport (New York, N.Y.)
- Orlando International Airport (Orlando, Fla.)
- San Francisco International Airport. (San Francisco, Calif.)

The Department of State currently uses 10-fingerprint scanners at most of its visa-issuing posts and will complete deployment worldwide by the end of 2007.

New Documentation Requirements for Travelers

As of Jan. 31, 2008, all adult travelers will be required to present proof of citizenship, such as a birth certificate, and proof of identity, such as a driver's license, when entering the United States through land and sea ports of entry. This change is the first step in preparing travelers for the transition to the future requirements of the Western Hemisphere Travel Initiative (WHTI). WHTI proposes to establish documentation requirements for travelers entering the United States who were previously exempt, including citizens of the

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U.S., Canada, and Bermuda.

Currently, U.S. Customs and Border Protection (CBP) officers may accept oral declarations of citizenship from U.S. and Canadian citizens seeking entry into the United States through a land or sea border. However, as of January 31, 2008:

- Oral declarations of citizenship alone will no longer be accepted
- U.S. and Canadian citizens ages 19 and older will need to present a government-issued photo ID, such as a driver's license, along with proof of citizenship, such as a birth certificate or naturalization certificate
- Children ages 18 and under will only be required to present proof of citizenship, such as a birth certificate
- Passports and trusted traveler program cards - NEXUS, SENTRI and FAST - will continue to be accepted for cross-border travel

http://travel.state.gov/passport/passport_1738.html

Preparing for the FY2009 H-1B Deadline

As a reminder, USCIS has an annual cap for H-1B Professional Worker visas. There are 65,000 H-1B visas (*as well as an additional 20,000 for U.S. Masters degree holders*) available per CIS fiscal year, which runs from October 1 to September 30. April 1, 2008 is the first date that employers can petition for H-1B status for the upcoming fiscal year, which begins October 1, 2008. Last year the H-1B Cap was met on April 1, 2007, the first day that the USCIS began accepting cases. The Master's degree cap was met by April 30, 2007. The expectation is that the FY2009 H-1B Cap will be exhausted on the first day of filing in 2008.

Therefore, to the extent possible, MVA recommends that U.S. employers think ahead in terms of hiring needs. Now is the appropriate time to consider whether your company may be interested in offering a position to a foreign national professional worker or a foreign national currently employed pursuant to temporary employment authorization, such as Optional Practical Training.