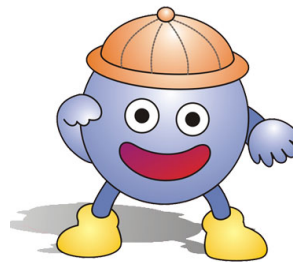




**In this issue:**

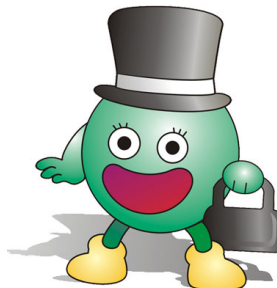
USCIS Reached the H-1B Cap	2
Proposed New Passport Requirement Rule	3
The U.S. Passport Application Online Checking System	4
Extension of TPS for Liberia	5
Quick Information Bytes	6

We welcome you to meet the Immis! They help us simplify the immigration process for you. The Immis are in every issue of our newsletter and act as your personal guides to various immigration topics.



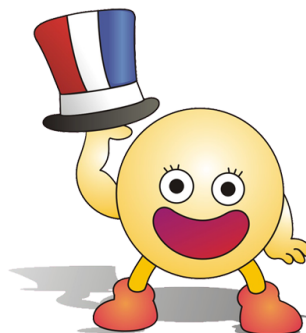
**Immi Jr.**

*Immi Jr. will address nonimmigrant issues*



**Immi**

*Immi will address immigrant issues*



**Citizen Immi**

*Immi will address citizenship issues*

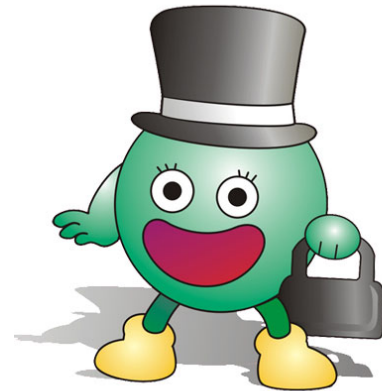
**USEFUL INFORMATION:**

- Immigration Related Web Sites 7
- Olsen Law Firm Contact Information 8

# IMMEDIATE INFORMATIONAL RELEASES

*Immi says:*

***Oh, No!!! H-1B CAP  
REACHED ON AUGUST  
10, 2005 ALREADY!!!***



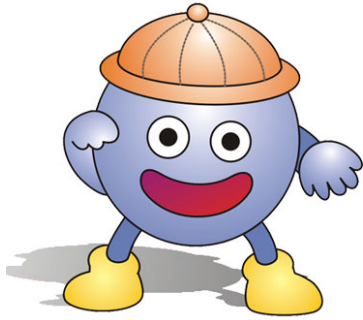
## **USCIS REACHED H-1B CAP**

**SOURCE: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)**

Washington, D.C.– U.S. Citizenship and Immigration Services (USCIS) announced that it has received enough H-1B petitions to meet the congressionally mandated cap for fiscal year 2006. USCIS has determined that the “final receipt date” is August 10, 2005. Any petitions received on that date will be subject to the random selection process described below. USCIS will reject any petitions that are subject to the FY 2006 annual cap and received after the “final receipt date.” Additional information regarding the specific number of H-1B petitions processed is available at: <http://uscis.gov/graphics/services/tempbenefits/cap.htm>.

Congress has established an annual H-1B cap of 65,000. Of that number, 6,800 are set aside for the H-1B1 program under terms of the U.S.-Chile and U.S.-Singapore Free Trade Agreements. The total H-1B cap number available for FY 2006 is therefore 58,200. The law provides that any of the unused Chile/Singapore numbers be reallocated back to the FY 2006 H-1B cap. These unused numbers will be made available on October 1, 2006, the start of FY 2007. The law authorizes USCIS to make such unused numbers available within the first 45 days of FY 2007 to aliens who had applied for such visas during FY 2006. At that time, USCIS will announce how many Chile/Singapore numbers went unused and can be reallocated. USCIS will announce the process for distributing any reallocated numbers in a future press release.

Although the H-1B cap already reached for 2006 fiscal year, H-1B numbers remain for both fiscal 2005 and 2006 for graduates of U.S. masters or above programs. Please remember that, for fiscal 2005 numbers (i.e., a start date earlier than 10/1/05), the petition should be filed at the Vermont Service Center at this special address: USCIS Vermont Service Center, 1A Lemnah Drive, St. Albans, VT 05479-7001. Petitions for fiscal 2006 numbers (i.e., a start date of 10/1/05 or later) should be filed at the service center having jurisdiction over the place of employment. Also any of the unused Chile/Singapore numbers be reallocated back to the FY 2006 H-1B cap. These unused numbers will be made available on October 1, 2006, the start of FY 2007.



***Immi Jr. says: Be aware of entering the U.S. in the future. Everyone needs a passport !!!***

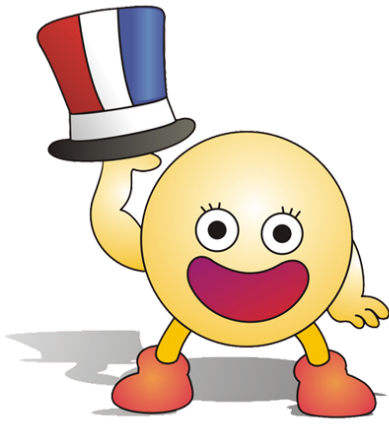
## **CBP AND DOS ISSUE ADVANCE NOTICE OF PROPOSED RULEMAKING ON PASSPORT REQUIREMENTS**

**SOURCE: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)**

Under the *Immigration and Nationality Act (INA)*, nonimmigrant aliens and United States citizens are generally required to present passports to enter the United States. The Secretary of Homeland Security and the Secretary of State have the joint authority to waive this requirement for nonimmigrant aliens under certain circumstances and the Secretary of State has the authority to make exceptions to the requirement for United States citizens. In accordance with those authorities, current regulations permit United States citizens and nonimmigrant aliens from Canada, Bermuda and Mexico to enter the United States from certain Western Hemisphere countries without presenting a passport.

On December 17, 2004, the President signed the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA). Section 7209 of this statute limits the Secretaries' discretion to waive or to make exceptions to the passport requirements under the INA and expressly provides that, by January 1, 2008, United States citizens and nonimmigrant aliens may enter the United States only with passports or such alternatives as the Secretary of Homeland Security may designate as satisfactorily establishing identity and citizenship. **In the future, as a result of the implementation of the new statute, travel to the United States by United States citizens and others from the Western Hemisphere will require a passport or acceptable alternative documents in circumstances where travel was previously permitted without such documents.**

Section 7209 directs that the Secretary of Homeland Security, in consultation with the Secretary of State, develop and implement a plan relating to the new requirements "as expeditiously as possible." The statute provides that this plan shall be implemented no later than January 1, 2008. The Secretary of Homeland Security, in consultation with the Secretary of State, will be deciding how to implement the new law. This Advance Notice of Proposed Rulemaking announces the rulemakings that are expected to implement the new law, invites comments on the possible means of implementation and specifically invites comments on the documents other than passports that should be accepted under section 7209 as sufficient to establish citizenship and identity.



*Citizen Immi says: Ha!! Now you can easily check your U.S. passport application status online without waiting on the phone.*

## **STATE DEPT. OFFERS ONLINE STATUS CHECKS FOR PASSPORT APPLICATIONS**

**SOURCE: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)**

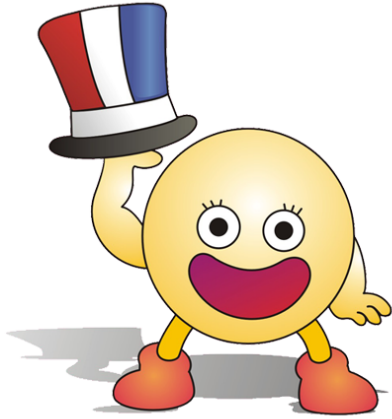
### *Passport Services Introduces Online Application Status-Checks*

Effective August 12, 2005, customers who have recently applied for a U.S. passport and want to know the status of their application may do so by accessing [http://travel.state.gov/passport/get/status/status\\_2567.html](http://travel.state.gov/passport/get/status/status_2567.html) using a standard Internet browser. Customers can securely enter their last name, date of birth, and the last four digits of their Social Security Number to receive information on the status of their application. A customer's personal information will remain in our system only long enough for he or she to complete their inquiry, thus protecting that data, as authorized by law. This information will then be deleted from our system.

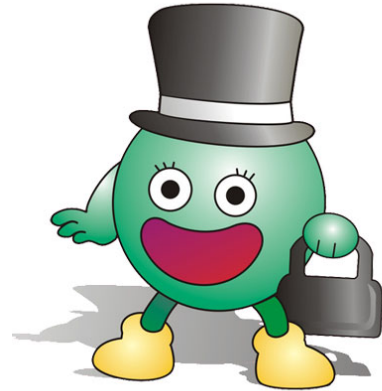
This service will enhance the status-check option currently only available to customers by phone or email at the National Passport Information Center (NPIC). It will also allow Passport Services to better allocate resources at NPIC by freeing Customer Service Representatives to respond to other calls and inquiries, reducing waiting time.

Customers may still request an application status-check via email, at [travel.state.gov](http://travel.state.gov), or by calling, toll-free, the National Passport Information Center at 1-877-487-2778 (TDD/TTY 1-888-874-7793).

For more information on applying for a U.S. passport, forms, and a wealth of other international travel information, please visit our website at [travel.state.gov](http://travel.state.gov).



*Immis say: Liberians don't forget that your TPS will expire on October 1, 2005. Don't forget to submit your TPS extension application.*



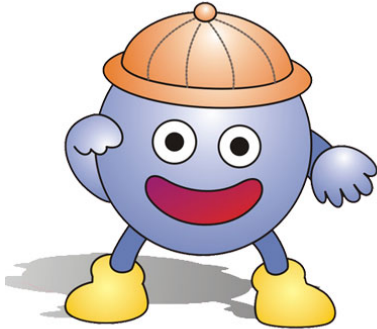
## **USCIS EXTENDS TPS FOR LIBERIA**

**SOURCE: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)**

The designation of Liberia for Temporary Protected Status (TPS) will expire on October 1, 2005. This Notice extends the designation of Liberia for 12 months, until October 1, 2006, and sets forth procedures necessary for nationals of Liberia and aliens having no nationality who last habitually resided in Liberia with TPS to re-register and to apply for an extension of their employment authorization documents (EADs) for the additional 12-month period. Re-registration is limited to persons who registered under the current designation (which was announced on August 25, 2004). Certain nationals of Liberia (or aliens having no nationality who last habitually resided in Liberia) who previously have not applied for TPS under the current designation may be eligible to apply under the late initial registration provisions.

**DATES:** The extension of TPS for Liberia is effective October 1, 2005, and will remain in effect until October 1, 2006. The 60-day re-registration period begins August 16, 2005 and will remain in effect until October 17, 2005.

## QUICK INFORMATION BYTES

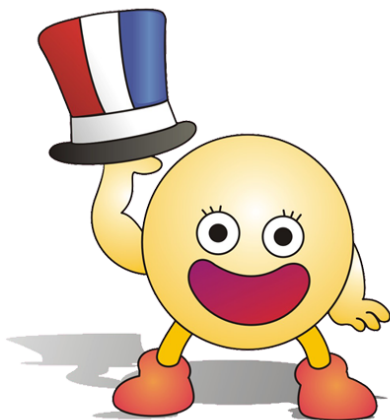
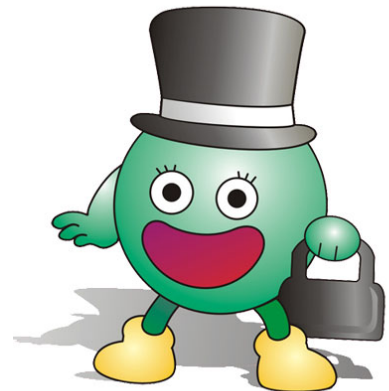


***Immi, Jr. says: Since this is the start of the academic year, you must see your international student advisor (DSO) and verify if all of your F-1 student information is correct.***

SOURCE: TERRENCE L. OLSEN, ESQ., OLSEN LAW FIRM

***Immi says: The H-1B cap has been reached for fiscal year 2006 on August 10, 2005. However, H-1B numbers remain for both fiscal 2005 and 2006 for graduates of U.S. masters or above programs. And also, any of the unused Chile/Singapore numbers will be reallocated back to the FY 2006 H-1B cap. These unused numbers will be made available on October 1, 2006, the start of FY 2007.***

SOURCE: TERRENCE L. OLSEN, ESQ., OLSEN LAW FIRM



***Citizen Immi says: Be aware that the Memphis Sub Office now has the following address:  
842 Virginia Run Cove, Memphis, TN.***

SOURCE: TERRENCE L. OLSEN, ESQ., OLSEN LAW FIRM

## QUESTIONS AND ANSWERS

*Explanation:* If you have questions concerning immigration related issues or concerns and are of a non-advice and pure general interest nature, please e-mail them to [tolsen@tlolaw.com](mailto:tolsen@tlolaw.com).

## IMPORTANT IMMIGRATION RELATED WEB SITES

<http://uscis.gov/graphics/index.htm>

- US Citizenship and Immigration Services Web Link

<http://www.dol.gov/>

- Dept. of Labor Web Link

<http://www.state.gov/>

- Dept. of State Web Link

<http://www.embassy.org/>

- Embassies in Washington D.C. Web Link

<http://www.aviso.net/government/embassies/>

- Embassies Located Inside and Outside U.S. Web Link

## CONTACT INFORMATION

Please visit: [www.tlolaw.com](http://www.tlolaw.com) for our web site

**Terry Olsen, Attorney, [tolsen@tlolaw.com](mailto:tolsen@tlolaw.com), 423-648-9390 and 423-648-9370 (for Chinese and Taiwanese language assistance)**

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