



OLSEN LAW FIRM IMMIGRATION NEWSLETTER

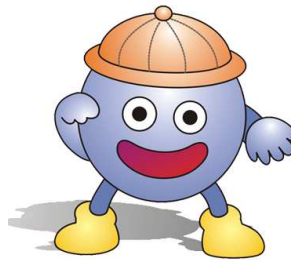
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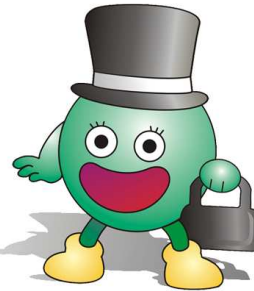
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We welcome you to meet the Immis! They help us simplify the immigration process for you. The Immis are in every issue of our newsletter and act as your personal guides to various immigration topics.



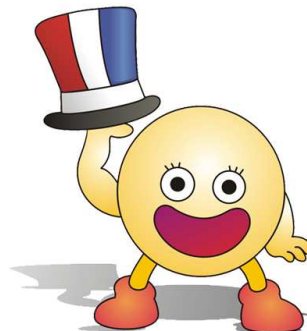
Immi Jr.

Immi Jr. will address nonimmigrant issues



Immi

Immi will address immigrant issues



Citizen Immi

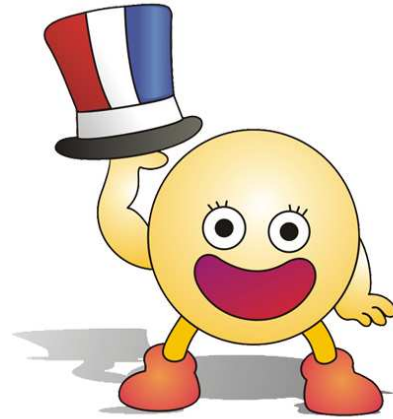
Immi will address citizenship issues

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IMMEDIATE INFORMATIONAL RELEASES

Citizen Immi says: Watch Out!!! Don't send your packet to the wrong CIS mailbox. Remember Chicago Lockbox only for family-base immigration.



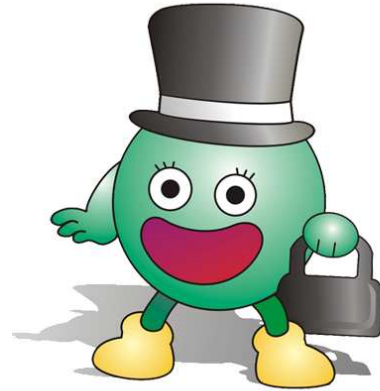
DHS CORRECTS EARLIER NOTICE ON CHICAGO LOCKBOX FILINGS

SOURCE: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)

U.S. Citizenship and Immigration Services (USCIS) published a notice in the Federal Register on November 19, 2004, at 69 FR 67751 which announced the expansion of the Direct Mail Program to provide that certain filings of Forms I-485, I-765, and I-131 be filed at a designated Chicago, Illinois Lockbox Facility for initial processing. That notice, among other things, directed certain aliens applying for work authorization under 8 CFR 274a.12(c)(10), who were described as "aliens granted Suspension of Deportation who are required to file with the USCIS Service Center having jurisdiction," to submit their Form I-765, Application for Employment Authorization, to the Chicago Lockbox Facility.

This statement was incorrect in two ways. First, 8 CFR 274a(12)(c)(10) provides that an alien "who has filed an application for suspension of deportation. * * *" may be authorized to accept employment in the United States. That provision, however, does not cover an alien who has already been granted suspension of deportation and is not a lawful permanent resident. Aliens already granted suspension of deportation and lawful permanent resident status are employment authorized incident to status and are not required to file for an employment authorization document. Second, the November 19, 2004 Direct Mail Notice was meant to affect only those Form I-765 applicants who, at the time the notice was issued, were required to file their applications at a local USCIS office. USCIS did not intend to change the filing location for those I-765s applications requesting employment authorization under 8 CFR 274.12(c)(10) that were previously filed at and adjudicated by a Service Center, such as those based upon an application for relief pursuant to section 203 of the Nicaraguan Adjustment and Central American Relief Act, Public Law 105-100, as amended. Accordingly, the Federal Register notice needs to be corrected to clarify this point. USCIS hereby corrects the prior notice to clearly provide that only applicants who are seeking employment authorization pursuant to 8 CFR 274.12(c)(10) based upon having filed an application for suspension of deportation pursuant to section 244 of the Immigration and Nationality Act (INA) or cancellation of removal pursuant to section 240A of the INA must submit their Form I-765 to the Chicago Lockbox Facility. Applicants who are seeking employment authorization pursuant to 8 CFR 274.12(c)(10) based upon having filed an application for NACARA 203 relief must submit their Form I-765 to the Service Center having jurisdiction over their place of residence. This correction is effective December 9, 2005.

Immi says: Oh!!! NO!!! The H-2B Cap has been reached for the first half of fiscal year 2006.



USCIS REACHES H-2B CAP FOR FIRST HALF OF FISCAL YEAR 2006

SOURCE: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)

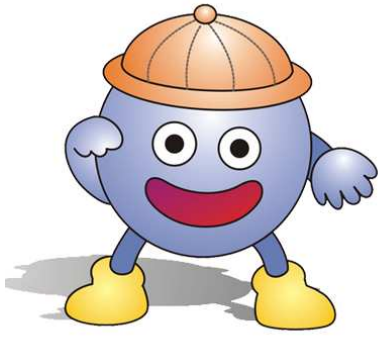
Washington, D.C.– U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of petitions to reach the congressionally mandated H-2B cap for the first six months of Fiscal Year 2006 (FY 2006). USCIS is hereby notifying the public that December 15, 2005 is the “final receipt date” for new H-2B worker petitions requesting employment start dates prior to April 1, 2006. The “final receipt date” is the date on which USCIS determines that it has received enough cap-subject petitions to reach the limit of 33,000 H-2B workers for the first half of FY 2006.

USCIS will apply a computer-generated random selection process to all petitions which are subject to the cap and were received on December 15, 2005. This process will select the number of petitions needed to meet the cap. USCIS will reject all cap-subject petitions not randomly selected. USCIS will also reject petitions for new H-2B workers seeking employment start dates prior to April 1st that arrive after December 15, 2005. USCIS will continue to accept petitions for new H-2B workers seeking employment start dates on or after April 1, 2006 that arrive after the "final receipt date" only if such petitions are supported by a valid temporary labor certification.

Petitions for both current and returning H-2B workers do not count towards the congressionally mandated bi-annual H-2B cap. “Returning workers” are exempt from H-2B cap limitations. In order to qualify, the worker must have counted against the H-2B numerical cap between October 1, 2002 and September 30, 2005. Any worker not certified as a “returning worker” is subject to the numerical limitations for the relevant fiscal year. Petitions received after the “final receipt date” which contain a combination of “returning workers” and workers subject to the H-2B cap will not be rejected, and petitioning employers will receive partial approvals for those aliens who qualify as “returning workers” if otherwise approvable.

USCIS will continue to process petitions filed to:

- Extend the stay of a current H-2B worker in the United States;
- Change the terms of employment for current H-2B workers and extend their stay;
- Allow current H-2B workers to change or add employers and extend their stay; or
- Request eligible H-2B “returning workers.”



Immi says: Ha!!! U.S. Visitors, Department of Homeland Security has completed installation of biometric entry capabilities at 104 land border ports.

DHS COMPLETES FOUNDATION OF BIOMETRIC ENTRY SYSTEM

SOURCE: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)

Department of Homeland Security's (DHS) US-VISIT program has completed installation of biometric entry capabilities at 104 land border ports, as mandated by Congress. Biometric entry capabilities are now deployed at all fixed ports of entry open to US-VISIT travelers.

"The U.S. Government's efforts to strengthen our nation's immigration and border management system have taken a giant leap with the deployment of US-VISIT entry capabilities at all our ports and visa-issuing posts abroad," said DHS Secretary Michael Chertoff. "US-VISIT is making America safer by enhancing our border management system with next-generation technologies and processes to address the emerging threats, challenges and opportunities of our 21st century world."

US-VISIT installed biometric entry procedures at the 50 busiest land border ports along the U.S.-Canada and U.S.-Mexico land borders as of December 29, 2004; meeting the December 31, 2004 deadline. The deployment of biometric entry procedures to each of the remaining 104 land border ports of entry is also ahead of the congressional deadline of December 31, 2005.

US-VISIT is a continuum of security measures that collect biometric and biographic information from visitors at U.S. visa-issuing posts upon their arrival and departure from U.S. air, sea and land border ports. The program enhances security by verifying each visitor's identity and by comparing their biometric and biographical information against watch lists of terrorists, criminals and immigration violators.

Since January 2004, US-VISIT has processed more than 44 million visitors, which makes the program the largest-scale application of biometrics in the world. Biometrics have enabled US-VISIT to intercept, at U.S. ports of entry, more than 970 people with histories of criminal or immigration violations, including federal penitentiary escapees, convicted rapists, drug traffickers, individuals convicted of murder and numerous immigration violators.

Additionally, the State Department's BioVisa program, which is fully integrated with US-VISIT, has resulted in over 14,000 hits on individuals applying for visas to travel to the United States. At many land border ports of entry, US-VISIT has decreased processing time in secondary inspection as a result of the automation of Form I-94 issuance process and US-VISIT's simple, fast and clean biometric processes.

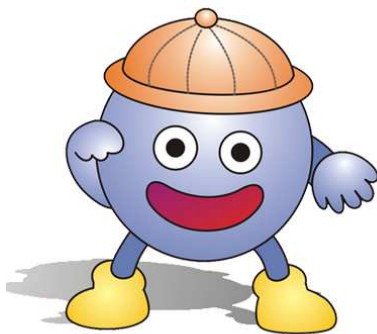
US-VISIT currently applies to all visitors entering the United States, regardless of country of origin or whether they are traveling on a visa, with certain exemptions. Canadian citizens are

exempt, as are most Mexican visitors who apply for admission using a Border Crossing Card, also known as a laser visa and travel within the border zone during the 30 day time limit.

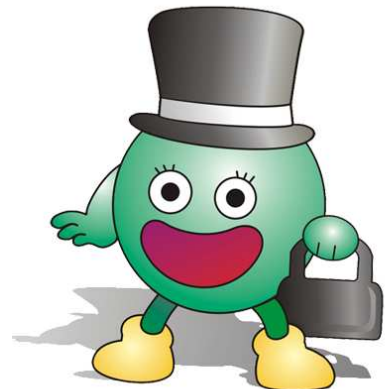
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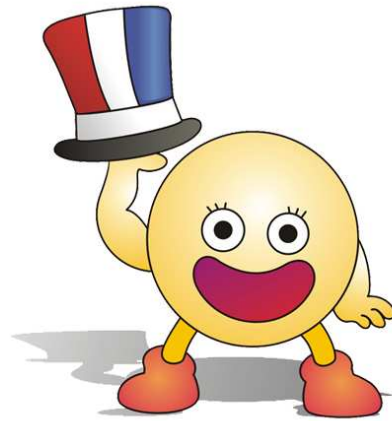
Immi say: Ha!!! The Labor Department are closing regional offices to unify the filing and processing activities.



**CLOSING OF REGIONAL OFFICES WITHIN
THE DIVISION OF FOREIGN LABOR CERTIFICATION
SOURCE: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)**

As the Division of Foreign Labor Certification centralizes its review of permanent and temporary program applications, we will be closing regional office operations in order to unify filing and processing activities in two National Processing Centers, located in Atlanta and Chicago, and two Backlog Elimination Centers, located in Dallas and Philadelphia. Please be aware that, as the Division's offices in Boston and Seattle have already closed. Therefore, those offices are no longer responding to phone calls or written inquiries, or accepting substitution requests or other filings. Other regional offices are winding down operations.

Citizen Immi says: Look!!! USCIS is moving toward to have electronic filing system and the proposed forms will be posted to the USCIS website within a few days.

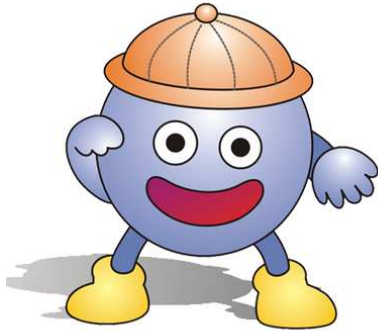


USCIS MOVES FURTHER TOWARD ELECTRONIC FILING

SOURCE: AMERICAN IMMIGRATION LAWYERS ASSOCIATION (AILA)

On December 29, 2005, USCIS published notices of proposed information collections on new forms to be used in an electronic filing environment. The proposed forms are expected to be posted to the USCIS website within the next few days, and American Immigration Law Association (AILA) has requested copies of them. Contacts related to USCIS indicate that the goal for USCIS is to have a true electronic filing/electronic adjudication system, and to develop a database within the agency that is built around the applicant's history, rather than around individual filings (which is the concept on which the current CLAIMS system is built). AILA's President, Deborah Notkin, has appointed a working group on electronic filing, and USCIS has reached out to AILA to obtain input on the system from the user's perspective.

QUICK INFORMATION BYTES

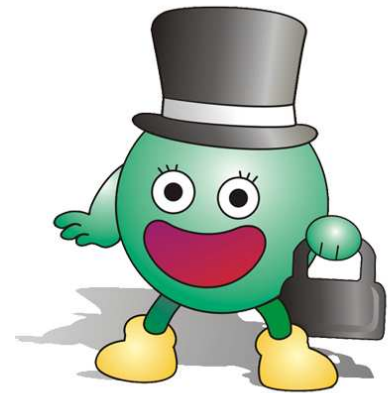


Immi, Jr. says: Remember, an H-4 dependent can attend school in the U.S. full-time or part-time but usually will have to pay out-of-state tuition for a college or university.

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

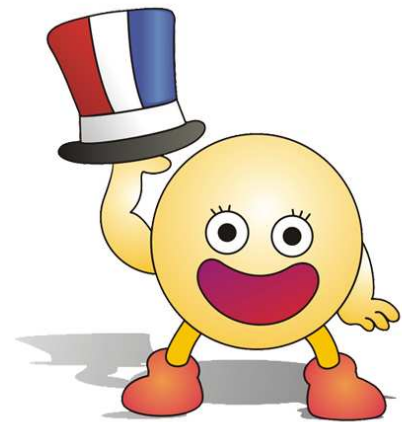
Immi says: Upon approval of a green card via marriage, it is most likely you will not receive a I-551 Stamp in your passport; however, you will receive the actual permanent resident card in a week.

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



Citizen Immi says: At your naturalization interview, you will most probably be asked 8 to 10 U.S. history/government questions in an oral format.

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.

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 for our web site

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

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