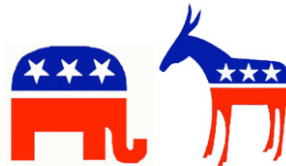




CLIENT CONNECTION



A newsletter on all things Immigration-related.

**HAPPY NEW YEAR!
WELCOME 2008**

ANNOUNCEMENTS

1.1 USCIS UPDATES

U.S. Citizenship and Immigration Services (USCIS) will once again begin accepting cap-subject H-1B petitions late March or early April. An announcement via Press Release will follow.

1.2 CONSULAR ISSUES

REMINDER: Effective January 1, 2008, the application fee for a U.S. non-immigrant visa will increase from \$100 to \$131. Applicants who paid the prior \$100 application fee and appear for visa interviews after January 31, 2008 must pay the difference -- \$31 -- before they will be interviewed.

1.3 BUSINESS CORNER

Spring-time is a good time to revisit your business plan and projections for this year. Is your business still on track?

1.4 Q & A ... DID YOU KNOW?

If you are present in the U.S. pursuant to an I-94 card, or status, you can retain your card or status if you travel within the Western Hemisphere for less than 30 days.



Dear Valued Client! Happy New Year! I wish you a prosperous, abundant year, marked by success, good health and happiness for you, your family,

friends and loved ones.

Is it Election Year already? ... Perhaps, -- for many, -- it's long overdue.

As a lawyer of reasonable education and intelligence, I typically avoid getting out my little wooden soapbox and setting up alongside other pundits and political naysayers. However, the Chinese Year of the Rat is now upon us (no implications there!), and for the United States it is Election Year. So I decided to dust off my little wooden political soapbox, give it a go, and give my (mostly) bi-partisan view on things, as they relate to Immigration Law.

Summer 2007 was supposed to be, at least such were the whispers in the immigration community, the big summer for sweeping changes to the existing body of U.S. immigration law. Regardless of political persuasion or moral platform, the general view was that the much-anticipated "Comprehensive Immigration Re-

form" might actually make it through the gauntlet of both houses of the U.S. Congress and emerge again on the other side, bringing about changes to an Immigration system, which by many accounts, is somewhat dysfunctional, if not downright broken.

While this "Comprehensive Immigration Reform" has been several years in the making, the first major obstacle was for Lawmakers to agree on WHAT changes needed to be made to existing laws and regulations, a discussion fueled immensely by the tragic events of "9/11". This alone took a lot of bi-partisan wrangling and multi-agency communication in identifying those issues most needing attention.

While there remains some dispute as to what changes need to occur and according to what priority those need to be dealt with, there is general agreement now (if there can even be such a thing in Washington), as to those major issues most in need of repair (or remodeling?).

The next major obstacle of a long overdue, wide-reaching reform is the burning question as to HOW to implement the agreed on necessary changes. This is where members of Congress across the political spectrum have repeatedly tried to devise and sell their own versions and visions for reforming this country's immigration system and its enforcement. Depending on your personal

value system, the one or the other proposal is likely to find more or less favor with you.

While some proposals are seen as very heavy enforcement-focused or punitive, or “anti-immigrant”, other proposals are seen as too liberal, or even too lenient on illegal immigration. And of course there is everything in between.

Among all these different proposals, whether they originated in the House of Representatives or in the Senate, there is so much disagreement as to the “how” to fix the system, that Lawmakers are now essentially at an impasse.

The result now is, that despite lawmakers’ best efforts, the reform has stalled for now, and appears to be going nowhere, although there are several workable and viable proposals on the table. This now begs the question as to WHEN our talented Lawmakers will re-visit the issue of “Comprehensive Immigration Reform” and finish the job they so zealously started.

Well, the short-term answer, IMHO, is: “not likely this year.” This year is, as the world knows by now (how could we miss it?), presidential election year, in which the American voting public gets to choose the current President’s successor, who will begin calling 1600 Pennsylvania Avenue, Washington D.C. their “home” starting January 2009.

While this event in itself is interesting and potentially exciting, (after all, the whole world will be watching), the adverse effect of this gut-wrenching political process, culminating in elections held in November of this year, is that the U.S. legislative body, the Congress, is not in any way motivated to rock the boat and pass sweeping new immigration laws, not knowing who will be sitting in the White House next year,

since George W. is constitutionally barred from seeking a third term :-)

This now has the real-life consequence that in all likelihood the issue of “Comprehensive Immigration Reform” will be placed on a shelf somewhere in Congress (“store in a cool, dark and dry place”) until after the election, while both major parties, the Republicans and the Democrats, will both use the topic of “immigration” in their respective election platforms to ascertain their voters’ perspective, position and support (or lack thereof) for future legislative efforts. Regardless of the party affiliation of the next U.S. President, some form of “comprehensive immigration reform” is no longer a question of “if”, but most certainly a question of “when” (and “how”).

And while many aliens and would-be immigrants are disappointed at Congress’ failure to implement the reform last summer, my advice would be to not sit around and do nothing in anticipation of the coming reform.

There are concrete steps an alien or would-be immigrant can take NOW, while U.S. citizens rack their political brains on whom to send to the White House. But before I get to those steps one can take and prepare for, there is another brief matter, deserving some attention.

How many Aliens are there?

This is not a quote taken from the preface of a sci-fi novel, but rather a one-liner highlighting one of the greatest points of contention in the greater “immigration issue”. The U.S. government does not really know how many undocumented aliens are physically present in the United States at any given moment. There are only estimates. These range from a modest 12 million to a staggering 30+ million, depending on who you ask. Even legally docu-

mented Aliens (non-U.S. Citizens) who are living in or visiting the United States on legal papers, cannot be fully accounted for by the U.S. 100% of the time. This brings an interesting degree of complexity to any immigration reform that will eventually be passed into law: how will it be applied and enforced?

It is generally presumed and understood by experts in the field that the United States will essentially have to sub-divide the pool of actual and future aliens in the U.S. according to certain criteria in order to manage these smaller segments more efficiently. Such criteria would include: a) immigration status now, b) past immigration history, c) manner of entry into the U.S., d) family history, e) ties to the United States, etc.

So what steps can one take prior to the Reform coming?

Depending on these criteria, an alien would likely fall into one or the other category, and based on that category, would have certain requirements to meet in order to obtain or regain legal immigration status in the United States. Keeping those enumerated criteria in mind, start assembling documents and information that will assist in answering those issues. And while the amount of Government filing fees under a future reform are not yet known, it would be wise to start budgeting or saving for those fees now. Lastly, a consultation with an Immigration Lawyer would be time well-spent.

As your immigration lawyer I am committed to serving you. Please continue sending me your feedback and comments.

Sincerely and respectfully Yours,

