



A newsletter on all things Immigration-related.
by Steven A. Culbreath, Esq.

ANNOUNCEMENTS

1.1 USCIS UPDATES

Beginning on June 30, 2008 it will issue Employment Authorization Documents (EAD) valid for two years. The new two-year EAD is only available to individuals who have filed to become a lawful permanent resident (LPR) using a Form I-485.

1.2 CONSULAR ISSUES

Whether you are a U.S. citizen or foreign national, if you have plans to travel outside the United States this summer, please be prepared, particularly if you do not travel frequently beyond our borders. Be aware of documentation requirements and make sure you and those traveling with you comply with them.

1.3 BUSINESS CORNER

Foreign tax credits allow U.S. taxpayers (incl. foreigners subject to U.S. taxes) to avoid or reduce double taxation. You may choose to take a deduction for foreign taxes paid instead of choosing a credit. In most cases, it is to your advantage to take foreign income taxes as a tax credit.

1.4 Q & A ... DID YOU KNOW?

You can read more about items in this column by going to my blog and looking in the relevant subject categories. See the address below.

Dear Valued Reader, Hard to believe the first half of the year has essentially come and gone. Six months. POOF! In an ongoing effort (quest maybe?) to keep those around me informed of ongoing U.S. Immigration Law issues, I am continually taking



measures to offer my followers (readers, subscribers, clients, colleagues, friends and family) various ways to keep communication and the flow of information going.

As most of you know, I recently implemented my own BLOG (= "web log") on all things Immigration-related. It has been very well-received thus far, and I am intent on continually offering updated information and content on it, so please stop by frequently. The blog also offers the option of subscribing to it via an RSS feed, which should update you whenever the Blog itself is updated. The address of the Blog is: <http://www.saculbreathlaw.com/blog/>

Go check it out, let me know what you think, visit frequently. Please also pass on my blog to anyone you know who may hold an active interest in immigration law issues.

As always, if you have comments or suggestions, please let me know. My door, inbox and ears are always open.

Monthly Guest Columns coming your way, starting now.

As part of my ongoing 'experimentation', I am going to provide some space in my monthly newsletter to a brief guest column on some service which is either directly or indirectly relevant to Immigration. Because of the work I do and my global clientele, many professionals and service providers have unique offerings tailored to foreign nationals or to businesses whose operations somehow have an international connection or aspect.

This month's "guest column" is by Kelly Cutchin, of MoneyCorp. Read her column on page 2.

Should you be interested in appearing in an upcoming guest column, please send me an email with details, and I will be happy to accommodate your request for inclusion in an upcoming newsletter.

TSA's practices at airports regarding immigration status.

In recent times, increasingly many reports across the country have surfaced, regarding security personnel (TSA) at U.S. airports inquiring into passengers' immigration status, as part of their routine check-in and screening procedures.

At some airports, passengers who could not provide documentary proof of valid, legal status in the U.S., were detained, while CBP officers were called in by TSA to investigate further.

This practice has been condemned by many in the travel industry as well as by passengers. When and how this practice began is not known, but it seemed to have become an infectious, albeit illegal, practice adopted by TSA... until recently.

Clearly TSA was overstepping its legal mandate. Its job is to maintain and ensure airport and travel security, NOT to enforce U.S. immigration laws.

TSA is now no longer inquiring as to the legal immigration status of passengers. Internal operating procedures ONLY require TSA agents to demand proof of identity, in the form of a legally valid, unexpired form of government issued identification, issued by ANY government, foreign or domestic.

It is also important to note that even IF a TSA agent comes to a conclusion (or presumption?) that a person may be illegally present in the United States, TSA has no legal authority to detain that passenger on immigration-related grounds. If you have grounds for a complaint against TSA, please direct your inquiry to: Toll Free 1-800-289-9673, or via email to: TSA-Contactcenter@dhs.gov.

THIS MONTH'S GUEST COLUMN: **Do you need to transfer substantial sums of foreign currency into the U.S.?** **Read this. (by Kelly Cutchin)**

Moneycorp can save you money on your international currency transfers. Whilst high street banks are often the first port of call for foreign currency transactions, specialist currency dealers such as Moneycorp will normally offer superior rates of exchange. In addition, currency dealers offer a more comprehensive range of services that will help protect clients from adverse currency movements. With exchange rates con-

stantly changing and fluctuations of as much as 10% in a short space of time not uncommon, using a currency specialist can make a huge difference to the amount of currency you receive. Moneycorp will also give you access to free information and guidance on the currency markets, which will help you to decide when the best time to transfer your currency might be.

STERLING vs. DOLLAR: Sterling is under some pressure at the moment given the current credit crisis and house price reduction in the UK. The US economy is also having difficulty releasing some positive data to show a recovery in the near future, however it appears that Sterling is taking the majority of the pressure, resulting in a weakening Pound. Analysts are speculating the GBP/USD could hit 1:1.80 by Christmas, but the Monetary Policy Committee decision regarding rates could provide some welcome relief in the short term. In these turbulent times, always be cautious and speak to an expert who can monitor and guide you on the market.

EURO vs. DOLLAR: The Euro got a reminder that living off past glories is not a ticket to future success. Having done well after the European Central Bank hinted that Euro interest rates could rise in July, no real movement has been seen since. A posse of US Federal Reserve and Treasury hit-men took it in turn to tell a plausible story of raising US interest rates and a stronger Dollar. At the same time, French finance minister, Christine Lagrande, reminded everyone that for her, as well as for many other Euro zone politicians, the Euro was too strong against the Dollar. The complementary US and European stances suggested to many that there might be some big announcement coming up from the G8 meeting; perhaps even coordi-

nated intervention of the sort that has not so far been seen this century.

Please contact [Kelly Cutchin](mailto:kelly.cutchin@moneycorp.com) at Moneycorp (mention my name) to find out more: +1 321-559-1050, or email: kelly.cutchin@moneycorp.com.

DHS Announces Pre-Travel Authorization Program for U.S.-Bound Travelers from Visa Waiver Countries.

The Dept of Homeland Security announced that it will begin implementing the Electronic System for Travel Authorization (ESTA), a new online system that is part of the Visa Waiver Program (VWP), later this summer. Once ESTA is mandatory, all nationals or citizens of VWP countries who plan to travel to the United States for temporary business or pleasure under the VWP will need to receive an electronic travel authorization prior to boarding a U.S.-bound airplane or cruise ship.

ESTA (online system) will determine, almost immediately in many cases, if an individual is eligible for VWP travel, and if such travel poses any law enforcement or security risks. ESTA applications may be submitted at any time prior to travel, and once approved, will be valid for up to two years or until the applicant's passport expires, whichever comes first. Authorizations will also be valid for multiple entries into the U.S. ESTA applications are to be submitted as soon as an applicant begins planning U.S.-bound travel, and not less than 72 hours prior to travel. Starting Aug. 1, DHS will begin to accept voluntary applications through the ESTA Web site at <https://esta.cbp.dhs.gov>.

I hope you have enjoyed this issue. Keep your comments coming. Sincerely Yours, as always,

