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IMMIGRATION UPDATE

New Passport Requirements For US and Canadian Citizens

US and Canadian Citizens will soon need to present a passport to enter the US. Effective January 1, 2008, these new passport requirements will apply to everyone entering the US from any international destination. Effective December 31, 2005 individuals traveling by air or sea from the Caribbean, Central America or South America into the US will be required to have a passport. Effective December 31, 2006 individuals traveling by air or sea from Canada or Mexico will also need a passport. This replaces the current requirements, where US and Canadian citizens only need photo identification and proof of citizenship to come to the US from many international locations (like driving from Windsor, Canada). US citizens applying for a passport for the first time will still need to apply in person, but can now fill out the [passport application online](#). For more information on foreign nationals applying for US citizenship visit [Clark Hill's website](#).

Visa Waiver Participants Need Machine-Readable Passports

Effective June 26, 2005, foreign nationals attempting to enter the US under the Visa Waiver Program must have a machine-readable passport. The Visa Waiver Program allows foreign nationals from certain countries to enter the US without first securing a Visitor Visa from a US Consulate. When they are inspected at a port of entry (US airport, border crossing, etc.) an I-94W is issued, which allows the person to attend business meetings or vacations for a maximum of 90 days. All foreign nationals who do not have a machine readable-passport will need to replace their current passport, or secure a Visitor Visa, before attempting to enter the US. For more information on the Visa Waiver Program, [visit Clark Hill's website](#). For more information on the new requirements [visit the Department of State's website](#).

H-1B Update

On May 20, 2005 USCIS (US Citizenship and Immigration Services) announced that it had received approximately 6,300 H-1B applications for the recently expanded 2005 H-1B limit. In our last Immigration Update, we provided information on the new 20,000 H-1B Visas for foreign nationals who have graduated from a US university with an advanced degree (above a Bachelor Degree). Usage of these new H-1B Visas has been below expected demand. For more information on H-1B's generally [visit Clark Hill's website](#). For more information on the 20,000 new H-1B's [visit USCIS's website](#).

New Replacement Green Card Process

As of May 31, 2005 all foreign nationals who have a green card and need a replacement (lost, stolen, or expiring) must apply directly to the Los Angeles Lock Box. For more information on applying for a green card [visit Clark Hill's website](#). For more information on the replacement green card filing procedure [visit USCIS's website](#).

Clark Hill's Immigration Website Has Been Expanded

We are pleased to announce an expanded Immigration portion of the Clark Hill website. Information on temporary Visas, green cards, and US citizenship are a click away. To see more visit - <http://www.clarkhill.com/practices/immigrationlaw/>.

This Update is distributed with the understanding that it is not intended to be, and should not be regarded as, legal advice or opinions. Clark Hill therefore assumes no liability whatsoever in connection with its use. Should you wish to discuss a specific problem, please contact the Clark Hill Immigration Group.

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