



EMAIL BULLETIN

U.S. DEPARTMENT OF HOMELAND SECURITY ANNOUNCES FURTHER IMPLEMENTATION OF U.S. VISIT

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The U.S. Department of Homeland Security (DHS) recently announced that DHS met the Congressionally-mandated deadline of December 31, 2005 for the implementation of procedures and facilities for the capture of biometrics upon entry at 104 land border ports of entry. DHS confirms that all ports of entry open to U.S. VISIT travelers are now equipped to capture biometrics upon entry.

The U.S. VISIT program requires visitors entering the United States to provide biometrics upon entry, which are then compared with the biometrics captured and recorded in the visitor's machine-readable visa or passport to ensure that the person presenting a passport or visa upon entry is the same person to whom the document was issued. The capture of biometrics upon entry also allows immigration inspectors to compare biometrics of each visitor with a database of persons wanted by law enforcement or immigration authorities.

The U.S. VISIT program also requires visitors to "exit register", or provide their biometrics and departure verification when leaving the United States. This further provision permits authorities to verify that the person departing is the person who entered lawfully in the first instance. This requirement is designed for DHS to keep a more accurate record of the actual dates of departure of visitors to the United States. In this manner, U.S. Citizenship & Immigration Services (CIS), the agency within DHS which adjudicates benefits applications, has access to more reliable records of a foreign national's stay in the United States and can more readily detect "overstays" of authorized status which may affect eligibility for immigration benefits.

Currently the departure information is haphazardly collected. This creates unreliable and spotty computerized records. For some time to come, it is foreseeable that many departures will not be recorded inferring overstays and potentially violations of status when none may have occurred. These "missing" departure records may impact your employee's ability to enter the U.S., secure a new visa at a U.S. Consulate abroad, change immigration statuses or adjust to permanent residency. These arrival/departure record errors may need to be addressed and corrected on a case by case basis.

Canadians are presently exempt from U.S. VISIT entry and exit requirements; however, it is anticipated that Canadians, who by the end of 2006 will be required to present

passports to enter the United States, will eventually be subject to the entry and exit registration and biometrics collection components of the U.S. VISIT program. Extending the requirement to Canadians would further the DHS and U.S. Congressional goals of maintaining a comprehensive, accurate system for managing and tracking the entries and departures of all visitors to the United States.