

## **Article: Attention All Green Card Holders!** Szabo, Zelnick and Erickson, P.C.

The Department of Homeland Security has approved new regulations expanding the scope of the US-VISIT program. Effective January 18, 2009, all permanent residents entering or exiting from an air or seaport in the U.S. will now be subject to providing 10 fingerprint scans, photographs and other biometric identifiers.

The US-VISIT program has been in effect since 2004 and has been applied to visitors and non-immigrant's upon their entry and/or exit from the US. Beginning January 18, 2009, all permanent residents entering or exiting from an air or seaport in the U.S. will be subject to the new requirements. Those traveling by land, may have a brief reprieve and will only be required to provide fingerprints if you are referred to "secondary inspection", according to the Department of Homeland Security. At this time, not all land ports of entry have ten-fingerprint scanning capability, but this is expected to change within the next month. The bottom line is that those subject to US-VISIT should be prepared for potential delays in travel.

On a practical note, it is very important for lawful permanent residents who have any criminal convictions to be aware that this information will likely be detected during the US-VISIT exit and re-entry. If you fall into this category, you will need to be prepared to present substantial evidence to prove that you should be legally admitted back into the US. There is no guarantee that you will be admitted and as such, it is imperative to consult with an immigration attorney prior to your departure.

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