



GLOBAL IMMIGRATION UPDATE

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CANADA

The Québec Immigrant Investor program will reopen on August 31.

The Québec Immigrant Investor program is reopening on August 31, 2015. It includes a quota of 1,750 applications (1,200 for Chinese nationals and 550 for nationals of other countries). The program is slated to be open for up to five months.

To be eligible for the Québec Immigrant Investor program, an applicant must:

- Have, alone or with his accompanying spouse, including *de facto* spouse, net assets of at least \$1,600,000 Canadian dollars obtained legally, excluding amounts received by donation less than six months before the date on which the application was filed;
- Have experience in management in a legal farming, commercial, or industrial business, or in a legal professional business where the staff, excluding the investor, occupies at least the equivalent of two full-time jobs, or for an international agency or a government or one of its departments or agencies.

Management experience is defined as the exercise, for at least two years in the five years preceding the application for a Québec Selection Certificate, of duties related to the planning, management, and control of financial resources and of human or material resources under the employer's authority; the experience does not include experience acquired in the context of an apprenticeship, training, or specialization process attested to by a diploma; and

- Intend to settle in Québec and sign an agreement to invest \$800,000 Canadian dollars with a financial intermediary (broker or trust company) authorized to participate in the Investor Program.

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CHINA

China has announced measures to lower the threshold for permanent residence applications and offer work-based residence permits for longer periods.

China aims to attract high-level talent. On June 8, 2015, the Chinese Ministry of Public Security (Ministry) announced several measures to lower the threshold for permanent residence applications and to offer work-based residence permits effective for a longer period of time.

The Ministry announced that foreign professors and researchers working for several categories of entities can apply for permanent residence. Under the new announcement, foreigners may apply for Chinese green cards if they (1) are employees of foreign-invested research and development centers, state-accredited enterprise technology centers, or key national research institutions; (2) hold associate professor, associate researcher, or higher titles; (3) have worked in an eligible position for four consecutive years; and (4) have resided in China for three of the past four years.

Before the announcement, only certain foreign investors, senior managers and their derivatives, in addition to certain direct relatives of Chinese citizens, could apply for permanent residence. Eligible foreigners can submit their applications to the local public security bureau in the area where they work. The adjudication takes up to six months. Permanent residents can use their

green cards as their only travel documents. They also have the same rights as Chinese citizens for activities such as investment, purchase of property, and children's education.

In addition to the national measure, on June 9, 2015, the Ministry announced more benefits to foreigners working in Shanghai. The Ministry further lowered the threshold for permanent residence and allowed the issuance of five-year work-based residence permits for foreigners in Shanghai. Foreigners in Shanghai do not have to meet job category or title requirements. Instead, with a recommendation from the employer, permanent residence is open to any foreigner who (1) has worked in Shanghai for four consecutive years; (2) has resided in China for at least six months in each of those four years; and (3) meets certain annual salary and income tax payment thresholds (the 2015 annual salary threshold is RMB 600,000 and the threshold for paid annual income tax is RMB 120,000). The adjudication time for permanent residence applications is further reduced to 90 days in Shanghai.

Moreover, high-level foreign talent accredited by Shanghai authorities or senior professionals employed by entities listed on the Shanghai Technological Innovation Occupation list can obtain a five-year work-based residence permit and apply for permanent residence with recommendation from an employer after three years of employment. The five-year work-based residence permit is also available to foreigners who have applied for and obtained work permits for two consecutive periods and complied with Chinese laws.

Visa requirements for Shanghai have also been changed according to the new announcement. First, Z visa applicants no longer must apply at foreign consulates. Instead, applicants living abroad can apply for a Z visa with an alien employment license upon arrival at the port of entry. Applicants in Shanghai can apply for a work-based residence permit up to one year from the local police station first and then apply for a work permit.

Second, high-level foreign talent accredited by Shanghai authorities or senior professionals employed by entities listed on the Shanghai Technological Innovation Occupation list can apply for an R visa (talent visa) upon arrival at the port of entry, or convert to an R visa if they have already entered China with a different visa, without having to leave China.

Third, foreign students who have graduated from Chinese universities can now apply for a two-year residence permit that allows for an internship and starting an innovative business. If hired locally during that period, they must apply for the work-type residence permit.

Fourth, foreign nationals intending to invest or start an innovative business in Shanghai with a verified business plan and evidence of funding can now obtain an S (Private Affairs) visa on arrival at the port of entry, and then apply for a residence permit after entry.

The announcement also confers other benefits on foreign nationals. High-level foreign talent with permanent residence or work-based residence permits can now hire foreign domestic workers and apply for residence permits for them. And foreign nationals who enter Shanghai on transit-without-visa can now stay for up to 144 hours instead of the previous 72 hours.

With the new announcements, certain foreign nationals can now enjoy a lower threshold for permanent residence applications, simplified visa application processing, and residence permits with longer terms. High-level foreign talent and their employers, foreign investors, and entrepreneurs wishing to live and work in China should plan accordingly.

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EUROPEAN UNION

Several developments have been announced.

Colombia and Peru Admitted to Schengen Visa Waiver Program

The European Union and the Community of Latin American and Caribbean States (CELAC) have ratified an exemption for citizens of Colombia and Peru from Schengen short-term visas.

Beginning January 2016, holders of Colombian and Peruvian passports can travel to Schengen countries for tourism and business purposes with no need to apply for an entry visa, and stay up to 90 days per semester (180-day period).

Among the countries exempted from visa requirements for short stays in Schengen states, Peru and Colombia will join Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Bahamas, Barbados, Bosnia-Herzegovina, Brazil, Brunei, Canada, Chile, Costa Rica, Croatia, Dominica, El Salvador, United Arab Emirates, Former Yugoslav Republic of Macedonia (FYROM), Guatemala, Grenada, Honduras, Hong Kong, Israel, Japan, Malaysia, Macao, Mauritius, Mexico, Monaco, Montenegro, New Zealand, Nicaragua, Northern Marianas, Panama, Paraguay, Saint Kitts and Nevis, Samoa, Santa Lucia, Serbia, Seychelles, Singapore, South Korea, St. Vincent and the Grenadines, Taiwan, Timor Est, Trinidad and Tobago, the United States, Uruguay, Vanuatu, and Venezuela.

Working Restrictions Lifted for Croatian Nationals

The European Commission issued a reminder that on June 30, 2015, the first phase of the transitional arrangements for Croatian workers came to an end. Member States had until June 30 to notify the Commission whether they intended to maintain restrictions on Croatian citizens' access to employment over the next three years or if they wanted to fully open their markets.

Belgium, Cyprus, France, Germany, Greece, Italy, Luxembourg, and Spain have granted Croatian citizens full access to their labor markets. They began fully applying the European Union legislation on the free movement of workers on July 1, 2015.

Austria, Malta, the Netherlands, Slovenia, and the United Kingdom will maintain restrictions for an additional three years.

The other Member States granted Croatian workers all rights related to free movement upon accession on July 1, 2013.

As an example, on July 3, 2015, through Circular Letter No.3841, "Transitional Restrictions on Access of Croatian Workers to the Subordinate Labor Market in Italy," the Italian government announced that working and hiring restrictions on Croatian nationals were lifted. They can now be hired by Italian employers without having to obtain a Work Permit (Nulla Osta) from the relevant Immigration Office. They are no longer subject to contractual limitations and are entitled to carry out any type of work activities allowed for other EU/European Free Trade Association citizens.

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FRANCE

The salary threshold for the Blue Card has increased.

The average annual gross salary required in France for the issuance of an EU Blue Card (temporary residence card) was modified and now stands at €35,554. Consequently, the minimum wage required for issuance of an EU Blue Card is now €53,331 gross annual as of June 8, 2015.

The other conditions of eligibility for an EU Blue Card are:

- Holding a diploma for at least three years of higher education issued by a higher education institution recognized by the state in which it is located, or proving five years of professional experience at a comparable level;
- Benefiting from an employment contract of at least one year approved by the foreign labor office.

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ITALY

Several developments have been announced.

MoFA Clarifies Visa Exemptions for Training Activities

In response to a query about a particular case, the Ministry of Foreign Affairs (MoFA) confirmed that non-visa nationals sent from the parent company to train staff of an Italian subsidiary, for the purpose of installing new software in all subsidiaries of the group, can carry out such activities under business status. It is therefore unnecessary for them to obtain a training visa.

However, MoFA pointed out that such activity is subject to controls at the companies' sites by the local Labor Department. To obtain confirmation of this MoFA opinion in particular cases, it is necessary to consult the local Immigration and Labor offices.

Italian Citizenship Applications Now Accepted Only Online

Italy has recently implemented a new online system allowing applicants for Italian citizenship to submit their requests through the Ministry of Internal Affairs' website.

A goal of this new system is to shorten long waiting periods. In the past, applicants would wait for an appointment to be scheduled at the consulate/municipality. In some cases, appointments were scheduled more than a year after the request. With the new system, applicants can file their requests as soon as they have met the eligibility and documentation requirements, provided that they have registered with the Ministry of Internal Affairs and obtained access credentials.

As of June 18, 2015, the following categories of citizenship applications can only be submitted online:

- Application by residency (naturalization);
- Application by marriage for Italian residents;
- Application by marriage for residents abroad; and
- Application by employment with the Italian government for residents abroad.

Applications via ancestry (*jus sanguinis*) are not subject to any changes of procedure.

The Ministry of Internal Affairs' Web portal is at <https://nullaostalavoro.dlci.interno.it/Ministero/index2.jsp>.

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NETHERLANDS

The Dutch government is considering new strategies to attract highly skilled migrants.

On June 16, 2015, the Dutch government announced several new ideas to encourage highly skilled labor migration. The proposed measures are partly based on a Social-Economic Council (SER) report on labor migration issued in December 2014 that the government had requested, including an examination of the question of how the Netherlands could be more successful in attracting highly skilled workers from abroad.

The most important measures being considered are:

Highly Skilled Employees

- Holders of a residence permit for highly educated persons will no longer need a work permit.
- The government fee for recognized sponsorship (€5,116) will be diversified. For certain categories of companies the fee will be decreased; for others it will be raised.
- Government fees will be introduced for work permits.
- In addition to existing work permit exemptions, categorized by the nature of the work activity, exemptions will be granted for specific projects after a labor market assessment.
- Ongoing work authorization for project workers on irregular project assignments will be introduced.

Entrepreneurs

- An evaluation of the new and very successful startup visa, as well as the points-based system for entrepreneurs, is planned for early 2017.
- Holders of startup or entrepreneur visas will be allowed to work simultaneously as knowledge migrants. Holders of student visas will be allowed to participate in startup undertakings.

General measures

- Government information will be more readily available, and in English.
- Applications can be submitted digitally.

Draft legislation has not yet been released but is expected some time in 2015.

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RUSSIA

Russia has amended its immigration law with respect to correcting work permits.

As of June 29, 2015, amendments to the process of correcting work permits came into force.

If a foreign national holding a work permit has his or her name or passport changed, he or she must apply to the immigration authorities to correct his or her work permit within seven working days. The new requirement applies to standard work permits, highly qualified specialist (HQS) work permits, and work patents (more below).

Previously, there was no set time frame for applying for a correction. Breach of the newly established time frame is an administrative violation subject to a fine of 4,000-5,000 rubles (approximately US \$75-95).

Effective January 1, 2015, Russia announced new rules for Russia's standard work permit system for the Commonwealth of Independent States (CIS). Work permits for CIS nationals were replaced with "work patents," which are valid initially for one year and renewable for one additional year.

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UNITED KINGDOM

Several developments have been announced.

Effects of Election Results

Once the results of the recent general election were tallied, even the victors were surprised when the Conservative Party won sufficient seats in the House of Commons to shed its coalition partner and form a new majority government. Following this success, Prime Minister David Cameron moved swiftly to announce the Tories' new policies and begin implementing a raft of far-reaching reforms.

With regard to immigration, the government intends to:

- Introduce a criminal offense for illegal working (the government plans to seize wages as the proceeds of a crime);
- Create a government enforcement agency to address the exploitation and coercion of migrant workers;
- Make it illegal for employment agencies to recruit solely from abroad without first advertising in English in Britain;
- Expand tenant immigration status checks to the national level, while simultaneously making it easier for landlords to evict undocumented migrant tenants;
- Ensure that banks take action against the accounts of undocumented migrants;
- Broaden the scope of "deport first, appeal later" to include nearly all immigration cases;
- Implement mandatory electronic "tagging" of migrant offenders who are released on bail; and
- Ask the Migration Advisory Committee (MAC) to consult on plans to further reduce migrant labor from outside the European Union (EU), including:
 - Financing UK apprenticeships via levies on businesses hiring individuals under Tier 2;
 - Increasing minimum salary thresholds for migrant workers;
 - Restricting how long occupational sectors may claim that they have a skills shortage;
 - Limiting work visas to specialist experts and areas with skills shortages; and

- Restricting Tier 2 dependents' right to work.

The government can expect forceful lobbying from UK businesses against these proposals, who have already stated their objection to measures designed to restrict the flow of skilled migrants to the UK.

UK's Relationship With EU

In anticipation of the promised in-out referendum on the UK's membership in the EU by 2017, Prime Minister Cameron took the first steps toward renegotiating the terms of the UK's relationship with the EU. Alongside broader changes he is proposing, and in an effort to curb migration from the European continent, Prime Minister Cameron hopes to restrict EU migrants' access to social welfare benefits in the UK. While some of these terms may be possible, EU leaders have made it clear that free movement is not up for negotiation.

At present, however, an overwhelming majority of Britons do not believe that Mr. Cameron's negotiations will be effective. Notwithstanding this pessimism, polls suggest that 44% of British citizens favor remaining in the EU (with 36% hoping to leave, and 17% still undecided). However, the pollsters and pundits were nearly universally incorrect in their general election forecasts, so no result should be seen as a foregone conclusion.

Tier 2 Cap/Salary Developments

As widely predicted, the Tier 2 cap was again breached in July 2015. The July allocation of Restricted Certificates of Sponsorship (RCoS) was already bolstered by a large rollover from June (394), resulting in a total of 2,040 available for allocation in July. The minimum salary required to qualify for an RCoS in July was £32,000, which was an improvement over June when the minimum salary was £46,000.

As noted above, the government has commissioned the MAC to consult on increasing the minimum Tier 2 salary thresholds. While indications are that there will be no movement to increase the annual Tier 2 General cap of £20,700, the government will continue to keep this under review, given the fact that the monthly limit was already breached in June. This has resulted in a large number of firms in the legal, accounting, investment banking, architecture, information technology, and healthcare sectors failing to obtain RCoS for their potential recruits. Essentially, a salary level of at least £46,000 was required for an application to be successful.

In particular, the MAC is exploring whether to:

- Increase the Tier 2 minimum salaries per occupation for new entrant workers from the 10th percentile to the 25th percentile; and
- Increase the Tier 2 minimum salaries per occupation for experienced workers from the 25th percentile to the 50th or 75th percentiles.

The MAC issued a Call for Evidence on its review of the Tier 2 minimum salary thresholds. Highlights of some key findings submitted so far include:

- A majority of Sponsors have reported that Tier 2 salary thresholds tend to align to Sponsors' wage structures, although there are a significant number of Sponsors who have had to increase their salary offers to employ Tier 2 migrants.
- A number of Sponsors reported that pay is not necessarily a good proxy for high levels of specialization or skill, such as in certain sectors where wages tend to be lower; e.g., engineering. This also applies to start-ups.

- The vast majority of Sponsors reported that there would be a detrimental impact if minimum salary levels for more junior positions were raised to align more with salaries paid for highly skilled/specialized positions.
- Specifically with regard to the proposal to increase the percentile for new entrant workers from the 10th to 25th, a high number of Sponsors reported either a severe impact, high impact, or some impact, particularly in relation to global Graduate Recruitment Schemes. Outside these schemes, lower-wage, high-skilled sectors and start-ups, where salary is not a proxy for skills, would be severely affected.
- A majority of Sponsors reported a much greater detrimental impact with regard to the proposal to increase the experienced worker minimum salary threshold to the 50th percentile. The main impact here for certain Sponsors would be the large increase in salary required when moving from the new entrant to the experienced worker rate after three years.
- For those Sponsors who have established International Graduate Schemes in the UK, such as professional services firms, the minimum salary issue has become critical. Many were unable to secure Tier 2 Restrictive Certificates of Sponsorship for their 2015 intake of graduates because the June allocation was taken up by those applicants earning more than £46,000.

The MAC has recently launched its second consultation on the Tier 2 route in general.

Roll-Out of New Criminal Record Certificate Requirements for Migrants

Effective September 1, 2015, the Home Office will begin to roll out the requirement for migrants to obtain police clearance certificates before submitting applications for visas to travel to the UK. There will be a phased introduction beginning with the Tier 1 (Investor) and Tier 1 (Entrepreneur) applicant categories. This is a trial scheme and, subject to its success, it will be extended to other immigration categories in early 2016.

These Tier 1 applicants and their adult dependents will need to produce police clearance certificates from each country in which they have resided for a 12-month period or more to cover a 10-year period immediately before submitting their visa applications. The certificate must also have been issued within the six months before the application date. The process for obtaining a certificate will vary from country to country and in some locations can take several months to be issued.

For Sponsors of Tier 2 migrants, it may be prudent to anticipate that the requirement will be rolled out further to include those migrants and to factor this in when planning for the migrants to transfer to the UK in early 2016. In some countries—for example, the United States—it can take up to three months to obtain a certificate. If the certificate is not in English, it will also need to be translated. In some countries, it is simply not possible to obtain a certificate because no process exists for obtaining one. If so, evidence will need to be provided to prove this. In all other cases failure to provide a certificate will lead to refusal of the visa application.

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New Publications and Items of Interest

Seminar on UK Tier 2 proposals. Kingsley Napley will hold a seminar on Tier 2 proposals in the United Kingdom on September 10, 2015, and has issued a related survey. The government is proposing to restrict Tier 2 to genuine skills shortage occupations and highly specialist experts. The UK's Migration Advisory Committee (MAC) will recommend which occupations should be classified as such. Kingsley Napley expects this to be the most significant review of Tier 2 to date, and is preparing a related submission to the MAC. At the seminar, Sir David Metcalf and Anna Lacey, both from the MAC, will present their findings and provide an opportunity for discussion. The survey is at https://www.surveymonkey.com/r/MACTier2Consultation_KingsleyNapleyCallForEvidence. If you have any questions about the survey, contact Kingsley Napley or Janette Protheroe, jprotheroe@kingsleynapley.co.uk. To register for the seminar, enter your details at <http://feedback.kingsleynapley.co.uk/mac-tier-2-consultation-seminar-10-september-2015/> by September 4, 2015.

The 2015 edition of the *Global Business Immigration Practice Guide* has been released by LexisNexis. Dozens of members of the Alliance of Business Immigration Lawyers (ABIL) co-authored and edited the guide, which is a one-stop resource for dealing with questions related to business immigration issues in immigration hotspots around the world.

The latest edition adds chapters on Ghana and Peru. Other chapters cover Australia, Belgium, Brazil, Canada, China, Costa Rica, the European Union, France, Germany, Hong Kong, India, Ireland, Israel, Italy, Japan, Mexico, the Netherlands, Nigeria, Russia, Singapore, South Africa, Spain, Switzerland, Turkey, the United Kingdom, and the United States.

Latchi Delchev, a global mobility and immigration specialist for Boeing, called the guide "first-rate" and said the key strong point of the book is its "outstanding usability." She said she highly recommends the book and notes that it "is helpful even to seasoned professionals, as it provides a level of detail which is not easily gained from daily case management."

Mireya Serra-Janer, head of European immigration for a multinational IT company, says she particularly likes "the fact that the [guide] focuses not just on each country's immigration law itself but also addresses related matters such as tax and social security issues." She noted that the India chapter "is particularly good. The immigration regulations in India have always been hard to understand. Having a clear explanation of the rules there helps us sort out many mobility challenges."

Charles Gould, Director-General of the International Co-operative Alliance, said the guide is "an invaluable resource for both legal practitioners and business professionals. The country-specific chapters are comprehensive and answer the vast majority of questions that arise in immigration practice. Its clear and easy-to-follow structure and format make it the one volume to keep close at hand."

This comprehensive guide is designed to be used by:

- Human resources professionals and in-house attorneys who need to instruct, understand, and liaise with immigration lawyers licensed in other countries;
- Business immigration attorneys who regularly work with multinational corporations and their employees and HR professionals; and
- Attorneys interested in expanding their practice to include global business immigration services.

This publication provides:

- An overview of the immigration law requirements and procedures for over 20 countries;
- Practical information and tips for obtaining visas, work permits, resident status, naturalization, and other nonimmigrant and immigrant pathways to conducting business, investing, and working in those countries;
- A general overview of the appropriate options for a particular employee; and
- Information on how an employee can obtain and maintain authorization to work in a target country.

Each chapter follows a similar format, making it easy to compare practices and procedures from country to country. Useful links to additional resources and forms are included. Collected in this Practice Guide, the expertise of ABIL's attorney members across the globe will serve as an ideal starting point in your research into global business immigration issues.

The list price is \$359, but a 15% discount is available by visiting <http://www.lexisnexis.com/abil> and entering discount code "ABIL15". Contact your Lexis/Nexis sales representative; call 1-800-833-9844 (United States), 1-518-487-3385 (international); fax 1-518-487-3584.

[ABIL on Twitter](#). The Alliance of Business Immigration Lawyers is available on Twitter: @ABILImmigration. Recent ABIL member blogs are available at <http://www.abilblog.com/>.

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Member News

Several ABIL members have been selected for inclusion in the top 20 practitioners in the area of Immigration Law, in the Most Powerful Employment Lawyers Guide for 2015. The 8th annual list, selected by Lawdragon and produced in partnership with *Human Resource Executive*, was recently published on Lawdragon.com and in HRE's print magazine. The list is available at <http://www.lawdragon.com/guides/2015-top-20-lawyers-in-immigration-law/>. The ABIL members included are:

- **H. Ronald Klasko** (bio: <http://www.abil.com/lawyers/lawyers-klasko.cfm>) and **William Stock**, of Klasko Immigration Law Partners
- **Cyrus Mehta** (bio: <http://www.abil.com/lawyers/lawyers-mehta.cfm>)
- **Angelo Paparelli** (bio: <http://www.abil.com/lawyers/lawyers-paparelli.cfm>)
- **Julie Pearl** (bio: <http://www.abil.com/lawyers/lawyers-pearl.cfm>)
- **Bernard Wolfsdorf** (bio: <http://www.abil.com/lawyers/lawyers-wolfsdorf.cfm>)

Several ABIL members will speak at the American Immigration Lawyers Association (AILA)'s EB-5 conference in Las Vegas, Nevada, on August 27-28, 2015:

- **Charles Kuck** (bio: <http://www.abil.com/lawyers/lawyers-kuck.cfm>), I-829 Removal of Conditions Process and EB-5 Compliance
- **Robert Loughran** (bio: <http://www.abil.com/lawyers/lawyers-loughran.cfm>), EB-5 Overview
- **Mr. Mehta**, Protecting Your EB-5 Practice: Ethical Issues & Minimizing Risk
- **Mr. Paparelli**, Protecting Your EB-5 Practice: Ethical Issues & Minimizing Risk
- **Mr. Wolfsdorf**, China Issues; Update from U.S. Dept. of State & CIS Ombudsman Office; Hot Topics, Legislative Update, & Open Q&A

- **Stephen Yale-Loehr** (bio: <http://www.abil.com/lawyers/lawyers-loehr.cfm?c=US>), Due Diligence in EB-5 Cases; The EB-5 Program: A Time of Change, Reauthorization & The Future; Hot Topics, Legislative Update, & Open Q&A

Mr. Kuck has published several new blog entries. "Three Reasons Conservatives Should Support DAPA" is available at <http://musingsonimmigration.blogspot.com/2015/07/three-reasons-conservatives-should.html>. "Georgia and 'Sanctuary Cities': Facts Are A Good Place To Start" is available at <http://musingsonimmigration.blogspot.com/2015/07/georgia-and-sanctuary-cities-facts-are.html>.

Vincent Lau (bio: <http://www.abil.com/lawyers/lawyers-lau.cfm>) will speak at two upcoming AILA conferences. On August 6, 2015, at the AILA Fundamentals Immigration Law Conference in Miami, Florida, Mr. Lau will speak on "Employment-Based Immigrant Visas—Part 1." On August 8, 2015, at the AILA PERM CLE Conference in Miami, Florida, Mr. Lau will speak on "PERM and the Prevailing Wage."

Mr. Loughran moderated parts 2 and 3 of a three-part panel on Consular Processing for Experts in June and July, sponsored by ILW.com. **Jose R. Perez, Jr.**, also of Foster, participated in part 2 and provided expert insight on immigrant and nonimmigrant waivers. In part 3, Foster Partner **Delisa J.F. Bressler** spoke on advanced consular issues in employment-based cases. For more information on the seminar, see <http://www.ilw.com/seminars/201502.shtm>. For more on Foster, see <http://www.fosterglobal.com/about-us/>.

Mr. Loughran and **James Larsen** presented "You're Legal NOW? Navigating I-9 and E-Verify After Executive Action" on July 31, 2015, at the Austin Human Resources Management Association Conference in Austin, Texas.

Sharon Mehlman (bio: <http://www.abil.com/lawyers/lawyers-mehlman.cfm>) will speak on "The Effect of Special Terms of Employment on a PERM Case" at the AILA PERM CLE Conference in Miami, Florida, on August 8, 2015.

Mr. Mehta has published several new blog entries. "To Amend or Not To Amend: USCIS Issues Final Guidance on *Matter of Simeio*" is at <http://blog.cyrusmehta.com/2015/07/to-amend-or-not-to-amend-uscis-issues.html>. "Update on Indian Three-Year Degrees and Postgraduate Diplomas" is available at <http://blog.cyrusmehta.com/2015/07/update-on-indian-three-year-degrees-and.html>. "History Will Trump Donald" is available at <http://blog.cyrusmehta.com/2015/07/by-cyrusd.html>.

David Isaacson of **Mr. Mehta's** office has published a new blog entry. "Resumption of Diplomatic Relations With Cuba: How Does It Impact U.S. Immigration Law" is available at <http://blog.cyrusmehta.com/2015/07/resumption-of-diplomatic-relations-with.html>.

Mr. Paparelli was quoted in the *Daily Journal* on July 22, 2015, in "Judge Says State Corrections Department Runs Afoul of Civil Rights Law." The article discussed a case where a Mexican immigrant, Victor Guerrero, was denied a corrections job in California because he answered truthfully that he had used a false Social Security number (SSN) in the past, a practice he began when he was 15 years old and used a false SSN at his parents' request so he could work in a restaurant. A U.S. district judge concluded that the state corrections department discriminated against the man because the disqualifying question disproportionately affects Latinos. Since the department began asking the question in 2009, all nine applicants disqualified for answering "yes" were Latino. Mr. Paparelli noted that the use of a false Social Security number is often accompanied by another crime: misrepresentation of status in U.S. Citizenship and Immigration Services forms. He said that the dilemma for immigrant job

applicants and employers is "more of a reflection of a broken immigration system than individual moral culpability."

Mr. Yale-Loehr was mentioned in the *New York Times* on July 22, 2015, in "From an 'Undocumented' Boyhood to a Doctorate." Mr. Yale-Loehr served as the article subject's lawyer, trying to find a way for the man, Dr. Dan-el Padilla Peralta, to be able to return to the United States from studying at Oxford and petitioning for his client's status at every academic stage. Dr. Peralta began life in poverty in the Dominican Republic and eventually earned a doctorate in classics from Stanford University. At age 30, the article explains, Dr. Padilla is at Columbia University as a postdoctoral fellow in humanities. Next summer, he will return to Princeton University, where he had also studied, as an assistant professor of classics. He has a work visa but is not yet a U.S. citizen. In March, Dr. Padilla married a woman from Sparta, New Jersey, whom he had dated for six years. He is waiting for his green card application to be considered. The article is available at http://www.nytimes.com/2015/07/23/nyregion/from-an-undocumented-boyhood-to-a-doctorate.html?_r=0.

Mr. Yale-Loehr co-authored an article, "Nine Key Concepts College Counsel Must Know About Immigration Law," which was published in the July 1, 2015, issue of Bender's Immigration Bulletin. He also authored an article on S. 1501, a new Senate bill that would affect EB-5 immigrant investors, that was published in the same issue. "Two Key Senators Introduce Bill to Extend and Improve EB-5 Program" is at <http://www.abil.com/articles/ABIL%20Articles%20-%20POLICY%20-%20EB-5%20Senate%20Bills%20%28Yale-Loehr%29.pdf>. "Nine Key Concepts College Counsel Must Know About Immigration Law" is at <http://www.abil.com/articles/ABIL%20Articles%20-%20STUDENTS%20-%20Nine%20Key%20Concepts%20College%20Counsel%20Must%20Know%20About%20Immigration%20Law%20%28Yale-Loehr%29.pdf>.

Mr. Yale-Loehr spoke on an ILW.com phone seminar on June 30, 2015, about a new U.S. Senate bill, S. 1501, that would make major changes to the EB-5 immigrant investor program. More information about the tele-seminar is at <http://www.ilw.com/seminars/EB5RegionalCenterSeminars.shtm#regnow>.

Mr. Yale-Loehr was quoted in the *Cleveland Plain Dealer* on July 28, 2015. Commenting on the case of Juan Emmanuel Razo, an undocumented immigrant from Mexico who is accused of murder and attempted rape, Mr. Yale-Loehr explained, "The Obama administration's policy on which immigrants to detain has evolved. The administration knows that it doesn't have the money or jail space to detain and deport all 11 million undocumented immigrants. Therefore, since last November it has focused on detaining immigrants who have been convicted of felonies or significant misdemeanors." The article is at http://www.cleveland.com/open/index.ssf/2015/07/lake_county_murder_case_brings_obamas_immigration_policy_to_the_fore.html.

Mr. Yale-Loehr was quoted on *Vice.com* on July 27, 2015. Commenting on the macroeconomic impact of immigration, he noted that legal immigration has benefited the U.S. economy overall. The article is at <http://www.vice.com/read/breaking-down-the-republican-war-against-legal-immigration-727>.

Mr. Yale-Loehr was quoted by *ABC News* on July 27, 2015. Commenting on a recent ruling that undocumented families including children who cross the border should not be detained in secure facilities, Mr. Yale-Loehr noted, "They're getting shot at. They just want to get out of the country and go to some place that will be safer. I don't think there will be a significant rise or decrease [in immigration] from Judge Gee's order." The article is at <http://abcnews.go.com/US/wireStory/judge-immigrant-kids-freed-family-detention-32720137>.

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