

IMMIGRATION INSIDER

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DHS Releases Details on Haiti TPS Extension and Redesignation, Work Authorization for Haitian F-1 Students — The Department of Homeland Security released additional details about the extension and redesignation of Haiti for Temporary Protected Status (TPS) through February 3, 2026. Given the timeframes, U.S. Citizenship and Immigration Services automatically extended through August 3, 2025, the validity of certain employment authorization documents issued under the TPS designation for Haiti and having the expiration dates listed in the notice.

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DOJ Reaches Settlement With Staffing Agency for Discrimination Against Non-U.S. Citizens – The Department of Justice has secured a settlement agreement with eTeam Inc., an online staffing agency that provides services to companies in the United States and worldwide. The agreement resolves DOJ's determination that eTeam discriminated against non-U.S. citizens with permission to work in the United States by excluding them from job opportunities based on their citizenship or immigration status.

<u>FLCDataCenter.com Discontinued</u> – FLCDataCenter.com is discontinued effective July 1, 2024. Prevailing wage data from the Occupational Employment and Wage Statistics Survey is now available through the OFLC Wage Search tool.

<u>President Announces New Measures for Spousal Work Authorization, DACA Recipients</u> – On June 18, 2024, President Biden announced measures "to ensure that U.S. citizens with noncitizen spouses and children can keep their families together." He also announced measures to enable certain Deferred Action for Childhood Arrivals recipients and others to receive work visas more quickly.

<u>USCIS Extends Certain TPS Work Permits Through March 9, 2025</u> – USCIS is extending the work authorization of Temporary Protected Status beneficiaries under the designations of El Salvador, Honduras, Nepal, Nicaragua, and Sudan through March 9, 2025.

<u>DOJ Reaches Settlement With Staffing Agency for Discrimination Against Noncitizens</u> –Under the settlement, the company will pay civil penalties, train its employees on the INA's requirements, revise its employment policies, and be subject to monitoring.

<u>Coming Soon: Increased Login Security for E-Verify and SAVE</u> – U.S. Citizenship and Immigration Services announced that login security will be enhanced for E-Verify and Systematic Alien Verification for Entitlements later this year

<u>DOS Rolls Out 'Beta Release' of Online Passport Renewal System</u> – The Department of State is testing a system for U.S. citizens to renew their passports online.

<u>EB-3 Category Retrogresses for July, Other Updates: Visa Bulletin</u> – The worldwide EB-3 final action date (including Mexico and Philippines) retrogressed in July.

<u>OFLC Seeks Info on Availability of Qualified Workers and Ways to Contact Them</u> – The Office of Foreign Labor Certification seeks input on the annual determination of Labor Supply States to enhance U.S. worker recruitment.

<u>Class Certified for Visa Applicants Refused Visas Under Presidential Proclamation</u> – A U.S. District Court has certified a class to allow certain visa applicants who were refused visas under Presidential Proclamation 9645 to receive a one-time, non-transferable fee credit to submit a new visa application and (for eligible class members) to get a prioritized visa appointment.

<u>New USCIS Policy Guidance Interprets Confidentiality Protections as Ending at Naturalization</u> – "This policy will result in naturalized citizens having full access to USCIS electronic benefit processing and critical customer service tools that are available to other U.S. citizens," USCIS said.

<u>Update Your E-Verify Login Bookmark!</u> – The URL should say "everify.uscis.gov", not "e-verify.uscis.gov".

<u>President Suspends and Limits Entry Into the United States of Certain Noncitizens, With Exceptions</u> – Exceptions include lawful permanent residents, noncitizen nationals of the United States, noncitizens with valid visas or other lawful permission to enter, noncitizens traveling under the Visa Waiver Program, unaccompanied children, and others.

<u>DOJ Sues Oklahoma Over New State Enforcement Law Against Unauthorized Noncitizens</u> – The Department of Justice (DOJ) has sued the state of Oklahoma over House Bill 4156, a new law that DOJ says "impermissibly creates a state-specific immigration system that effectively seeks to regulate noncitizens' entry, reentry, and presence in the United States."

<u>BALCA, OALJ Offices Move</u> – The national, Washington, DC, and Cherry Hill offices of the Board of Alien Labor Certification Appeals and the Office of Administrative Law Judges have relocated to the Frances Perkins building in DC.

ABIL Global: Colombia – This article discusses visa options for retirees and "digital nomads" in Colombia.

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Liberian DED Extended Through June 2026

President Biden has extended through June 30, 2026, deferred removal for Liberians with a grant of Deferred Enforced Departure (DED) under a 2022 memorandum. President Biden also announced that eligible Liberian nationals will have continued work authorization through June 30, 2026.

The grant of DED and continued employment authorization applies to any person who was eligible for a grant of DED under the 2022 memorandum, to include any Liberian national, or person without nationality who last habitually resided in Liberia, who has been continuously physically present in the United States since May 20, 2017, except for certain categories outlined in the new memorandum issued June 28, 2024.

Details:

 Memorandum on Extending Eligibility for Deferred Enforced Departure for Liberians, 89 Fed. Reg. 55017 (June 28, 2024).

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DHS Releases Details on Haiti TPS Extension and Redesignation, Work Authorization for Haitian F-1 Students

The Department of Homeland Security released additional details about the <u>extension and</u> <u>redesignation</u> of Haiti for Temporary Protected Status (TPS) through February 3, 2026. Given the timeframes for processing TPS re-registration and work authorization renewal applications, U.S. Citizenship and Immigration Services (USCIS) automatically extended through August 3, 2025, the validity of certain employment authorization documents (EADs) issued under the TPS designation for Haiti and having the expiration dates listed in the notice.

- To get an EAD valid after August 3, 2025, USCIS said, holders of those EADs must re-register for TPS and file Form I-765, Application for Employment Authorization, following the instructions in the Federal Register notice extending and redesignating Haiti for TPS until February 3, 2026. If USCIS approves the newly filed Form I-765, it will issue an EAD valid through February 3, 2026.
- USCIS noted that "this may be the final time USCIS will automatically extend TPS Haiti-based EADs with a Category of A-12 or C-19 and a Card Expires date of Dec. 31, 2022; Oct. 4, 2021; Jan. 4, 2021; Jan. 2, 2020; July 22, 2019; Jan. 22, 2018; or July 22, 2017."
- The notice also gives instructions for employers completing Form I-9, Employment Eligibility Verification, for TPS Haitian beneficiaries. Employers must reverify certain Haitian employees before they start work on August 4, 2025.

On July 1, 2024, U.S. Immigration and Customs Enforcement also released a notice on work authorization for Haitian F-1 nonimmigrant students.

Details:

- TPS designation for Haiti page.
- <u>I-9 Central TPS</u> page.
- ICE notice on work authorization for Haitian F-1 nonimmigrant students (July 1, 2024).
- DHS notice (July 1, 2024) (advance copy).

DHS news release (June 28, 2024).

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DHS Raises Civil Penalties for Certain Violations

The Department of Homeland Security (DHS) has raised civil monetary penalties for certain violations based on inflation. The new penalty amounts are effective for penalties assessed after June 28, 2024, whose associated violations occurred after November 2, 2015. For example:

- Civil penalties for knowingly hiring, recruiting, referral, or retention of unauthorized aliens— Penalty for first offense (per unauthorized alien): \$698–\$5,579.
- Civil penalties for I-9 paperwork violations: \$281–\$2,789.

Details:

DHS Final Rule, 89 Fed. Reg. 53849 (June 28, 2024).

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Naturalization Applicants Can Request Replacement Social Security Cards When They Apply for Citizenship

U.S. Citizenship and Immigration Services (USCIS) <u>announced</u> that applicants for naturalization can now request a replacement Social Security card when they apply for citizenship through Form N-400 (edition date 04/01/24).

USCIS noted several reasons why an applicant for naturalization might request a Social Security card through their application for naturalization:

- Replacing a lost, stolen, or damaged Social Security card
- Replacing a "<u>restricted</u>" <u>Social Security card with an "unrestricted</u>" <u>Social Security card</u> that can be used to show permission to work in the Form I-9 process
- Receiving a card with an updated name if the person's legal name has changed
- Updating their citizenship information with the Social Security Administration
- Opening a <u>My Social Security account</u> without first visiting a local Social Security Administration office

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DOS Updates Diversity Visa Guidance in Response to Court Decision

On June 25, 2024, the U.S. Court of Appeals for the District of Columbia reversed the district courts' decisions that had ordered the Department of State (DOS) to reserve and adjudicate diversity visa (DV) cases from the DV-2020 and DV-2021 program years. The court found that:

The district courts had no authority to order the State Department to keep processing applications for diversity visas and issuing the visas beyond the end of the relevant fiscal years. ... [C]ourts cannot order relief that conflicts with a clear and constitutionally valid statute. ... Once Fiscal Years 2020 and 2021 ended, the plaintiffs lost their eligibility for diversity visas. The

district courts erred in asserting an equitable authority to override these clear statutory deadlines, which foreclose the prospective relief sought in these cases. Accordingly, we ... remand the cases with instructions to enter judgment for the government.

Accordingly, DOS said it will not process DV cases associated with these district court decisions from the DV-2020 or DV-2021 program years. Affected individuals from eligible countries "who wish to submit a new DV entry may do so during the registration period for the DV-2026 program year, which will open in October 2024 and close in early November 2024," DOS said.

DOS said it "will continue to preserve case records related to the DV-2020 and DV-2021 programs until the litigation has concluded."

Details:

- Goodluck v. Biden (consolidated) (June 25, 2024).
- <u>DOS notice</u> (June 27, 2024).

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Ninth Circuit Holds That Discrimination Against U.S. Citizens on Basis of Citizenship is Prohibited

In *Rajaram v. Meta Platforms, Inc.*, the U.S. Court of Appeals for the Ninth Circuit held that discrimination against U.S. citizens on the basis of their citizenship is prohibited under 42 U.S.C. § 1981. Purushothaman Rajaram, a naturalized U.S. citizen and information technology professional, alleged that Meta Platforms, Inc., refused to hire him because it prefers to hire noncitizens holding H-1B visas to whom it can pay lower wages. The court noted:

An employer that discriminates against United States citizens gives one class of people—noncitizens, or perhaps some subset of noncitizens—a greater right to make contracts than "white citizens." If some noncitizens have a greater right to make contracts than "white citizens," then it is not true that "[a]II persons" have the "same right" to make contracts as "white citizens." That is precisely what the literal text of the statute prohibits.

Details:

• Rajaram v. Meta Platforms, Inc. (June 27, 2024).

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DOJ Reaches Settlement With Staffing Agency for Discrimination Against Non-U.S. Citizens

The Department of Justice (DOJ) announced on June 20, 2024, that it secured a settlement agreement with eTeam Inc., an online staffing agency that provides services to companies in the United States and worldwide. The agreement resolves DOJ's determination that eTeam discriminated against non-U.S. citizens with permission to work in the United States by excluding them from job opportunities based on their citizenship or immigration status.

An investigation by the Immigrant and Employee Rights Section of DOJ's Civil Rights Division found that "during various months in 2021, eTeam regularly distributed job advertisements that contained unlawful hiring restrictions based on citizenship status or otherwise screened out candidates based on their citizenship status. These actions harmed lawful permanent residents and individuals granted asylum or refugee status by deterring them from applying to the job advertisements and failing to meaningfully consider those who did apply," DOJ said.

Under the terms of the settlement, eTeam will pay \$232,500 in civil penalties and set aside \$325,000 to compensate affected workers. The agreement also requires eTeam to train its personnel on immigration requirements, revise its employment policies, and be subject to departmental monitoring and reporting requirements, DOJ said.

Details:

- DOJ announcement (June 20, 2024).
- <u>Settlement agreement</u> (June 20, 2024).

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FLCDataCenter.com Discontinued

The Department of Labor's Office of Foreign Labor Certification <u>announced</u> that FLCDataCenter.com is discontinued effective July 1, 2024.

Prevailing wage data from the Occupational Employment and Wage Statistics Survey is now available through the OFLC Wage Search tool (https://flag.dol.gov/wage-data/wage-search), OFLC said.

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President Announces New Measures for Spousal Work Authorization, DACA Recipients

On June 18, 2024, President Biden announced measures "to ensure that U.S. citizens with noncitizen spouses and children can keep their families together." He said that:

- To be eligible, noncitizens must—as of June 17, 2024—have resided in the United States for 10 or more years and be legally married to a U.S. citizen, while satisfying all applicable legal requirements. On average, those who are eligible for this process have resided in the U.S. for 23 years.
- Those who are approved after the Department of Homeland Security's case-by-case assessment
 of their application will be allowed to remain with their families in the United States and be
 eligible for work authorization for up to three years. This will apply to all married couples who
 are eligible.
- This action will protect approximately half a million spouses of U.S. citizens, and approximately 50,000 noncitizen stepchildren under the age of 21 whose parents are married to U.S. citizens.

President Biden also announced measures to enable Deferred Action for Childhood Arrivals (DACA) recipients "and other Dreamers, who have earned a degree at an accredited U.S. institution of higher education in the United States, and who have received an offer of employment from a U.S. employer in a field related to their degree, to more quickly receive work visas." He said the administration "is taking action to facilitate the employment visa process for those who have graduated from college and have a high-skilled job offer, including DACA recipients and other Dreamers." The action will involve streamlining the so-called "D-3" waiver process, by which people can overcome their unlawful presence problem by applying for a waiver at a consular post.

According to reports, details are expected to be released over the summer, along with an application process. People cannot apply yet.

Details:

- Fact Sheet: President Biden Announces New Actions to Keep Families Together (June 18, 2024).
- <u>Easing the Nonimmigrant Visa Process for U.S. College Graduates</u>, Department of State (June 18, 2024).
- Biden Is Offering Some Migrants a Pathway to Citizenship. Here's How the Plan Will Work, Associated Press (June 18, 2024).

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USCIS Extends Certain TPS Work Permits Through March 9, 2025

U.S. Citizenship and Immigration Services (USCIS) announced on June 20, 2024, that it is extending the work authorization of Temporary Protected Status (TPS) beneficiaries under the designations of El Salvador, Honduras, Nepal, Nicaragua, and Sudan through March 9, 2025.

USCIS will issue Form I-797, Notice of Action, to these TPS beneficiaries who are eligible to re-register for TPS or have a pending application to renew their Form I-766, Employment Authorization Document (EAD). The notice further extends the validity of their EAD through March 9, 2025.

USCIS said that employees may show their Form I-797, along with their TPS-based EAD (EAD with an A12 or C19 code), to any U.S. employer as proof of continued work authorization through March 9, 2025.

USCIS provided additional instructions for employers:

After a new employee has completed Form I-9, Employment Eligibility Verification, create a case in E-Verify for this employee. Enter the EAD document number you entered on Form I-9, as well as the automatically extended date of March 9, 2025. You must reverify these employees on Form I-9 before they start work on March 10, 2025.

Details:

USCIS alert (June 20, 2024).

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DOJ Reaches Settlement With Staffing Agency for Discrimination Against Noncitizens

The Department of Justice (DOJ) announced a settlement agreement with Selective Personnel Inc. (SPI), a California staffing agency. The agreement resolves DOJ's determination that SPI's predecessor business entity, South Bay Safety (SBS), violated the Immigration and Nationality Act (INA) by regularly discriminating against non-U.S. citizens when checking their permission to work in the United States.

After investigating, the Civil Rights Division's Immigrant and Employee Rights Section (IER) concluded that between September 2020 and October 2022, SBS required non-U.S. citizens to present specific types of documentation reflecting their immigration status to prove their permission to work. In contrast, U.S. citizens could present any acceptable document of their choosing. IER concluded that SPI was a successor in interest to SBS and liable for the violations that IER found.

Under the settlement, SPI will pay civil penalties to the United States, train its employees on the INA's requirements, revise its employment policies, and be subject to departmental monitoring.

Details:

DOJ press release (June 17, 2024).

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Coming Soon: Increased Login Security for E-Verify and SAVE

U.S. Citizenship and Immigration Services (USCIS) announced that login security will be enhanced for <u>E-Verify</u> and <u>Systematic Alien Verification for Entitlements (SAVE)</u> later this year, when users will begin logging into E-Verify or SAVE using <u>Login.gov</u>. This change "will require users to enter more information than just a password through a process called multi-factor authentication," USCIS said. For example, "along with the password, users may be asked to enter a code sent to their email or phone."

USCIS said that enhancing these processes will help prevent unauthorized account access and minimize risk due to human error, misplaced passwords, or lost devices.

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DOS Rolls Out 'Beta Release' of Online Passport Renewal System

The Department of State (DOS) is testing a "beta release" of a system for U.S. citizens to renew their passports online. DOS said routine processing times for renewing a passport online are expected to be six to eight weeks (not including mailing). Expedited renewals are not available online.

DOS noted that applicants might not be able to start their applications on the days of their choice during the beta release period. The system will open for a limited time midday ET each day, "and will close once we reach our limit for the day." If you can't start your application, DOS said, "try again on another day." Renewal by mail is still available also.

Details:

DOS announcement (June 12, 2024).

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EB-3 Category Retrogresses for July, Other Updates: Visa Bulletin

The Department of State's Visa Bulletin for July includes the following information about retrogression in the EB-3 immigrant visa preference category and an alert about a new law's impact on special immigrant visas:

RETROGRESSION IN THE EMPLOYMENT-BASED THIRD (EB-3) PREFERENCE CATEGORY

As readers were informed was possible in Item D of the June 2024 Visa Bulletin, it has become necessary to retrogress the worldwide EB-3 final action date (including Mexico and Philippines) effective in July. Given continued high demand and number use in this category, it will likely be necessary to either further retrogress the final action date or make the category "Unavailable" in August. This situation will be continually monitored, and any necessary adjustments will be made accordingly.

U.S. GOVERNMENT EMPLOYEE SPECIAL IMMIGRANT VISAS (SIVs)

The National Defense Authorization Act (NDAA) for Fiscal Year 2024, signed into law on December 22, 2023, may affect certain current and former employees of the U.S. Government abroad applying for SIVs or adjustment of status, as described in section 101(a)(27)(D) of the INA. This does not affect certain Iraqis and Afghans applying for SQ and SI SIVs. Applicants should contact the consular section at which they filed their Form DS-1884 for further information on the impact of that law on their case.

Details:

Visa Bulletin for July 2024.

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OFLC Seeks Info on Availability of Qualified Workers and Ways to Contact Them

The Department of Labor's Office of Foreign Labor Certification (OFLC) seeks input by August 13, 2024, on the annual determination of Labor Supply States (LSS) to enhance U.S. worker recruitment. OFLC explained that LSS are "additional states in which an employer's job order will be circulated and, if appropriate, where additional positive recruitment may be required of the employer."

To make a determination regarding labor supply and the positive recruitment needed to reach qualified workers within a state, OFLC requests information on the availability of qualified workers and the "appropriate, effective methods of contacting those workers." Information sought includes but is not limited to:

- The type of qualified workers available (e.g., tomato harvest workers);
- The state and geographic area(s) within the state where the workers may be located (e.g., city, county, regional non-metropolitan area);
- The methods for apprising the workers of a job opportunity (e.g., local newspaper or periodical, posting with a particular community organization engaged with those workers); and/or
- Most current information for the person(s) or entity (e.g., worker union, community-based organization) to be contacted for assistance in circulating the job opportunity to those workers.

OFLC said that all "previously determined LSS requirements will remain in full effect, unless the OFLC Administrator receives information indicating that a previous LSS is no longer a source for qualified workers."

Details:

OFLC announcement (scroll to June 14, 2024).

Class Certified for Visa Applicants Refused Visas Under Presidential Proclamation

The Department of State (DOS) disseminated a notice that the U.S. District Court for the Northern District of California has certified a class in the consolidated cases *Emami v. Mayorkas* and *Pars Equality Center v. Blinken* to allow certain visa applicants who were refused visas under Presidential Proclamation 9645 to receive a one-time, non-transferable fee credit to submit a new visa application and for eligible class members to get a prioritized visa appointment.

Certain nationals of Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen who were denied a visa between December 8, 2017, and January 20, 2021, and did not receive a waiver under that proclamation may be eligible for relief, DOS said.

Details:

• DOS notice (also available in Arabic and Farsi) (June 13, 2024).

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New USCIS Policy Guidance Interprets Confidentiality Protections as Ending at Naturalization

U.S. Citizenship and Immigration Services (USCIS) has issued guidance that interprets certain confidentiality protections as ending at naturalization.

USCIS said it made this change because "the previous practice of maintaining 8 U.S.C. 1367 protections beyond naturalization created burdens for some naturalized U.S. citizens. This policy will result in naturalized citizens having full access to USCIS electronic benefit processing and critical customer service tools that are available to other U.S. citizens."

Details:

• <u>Customer Service and Interpretation of 8 U.S.C. 1367 Confidentiality Protections for U.S. Citizens</u>, USCIS Policy Alert PA-2024-15 (June 12, 2024).

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Update Your E-Verify Login Bookmark!

U.S. Citizenship and Immigration Services (USCIS) reminded E-Verify users to delete the dash in their E-Verify login bookmarks. The URL should say "everify.uscis.gov", not "e-verify.uscis.gov". USCIS said the old URL and associated redirect will no longer work, effective June 25, 2024. USCIS also reminded users to update "any material(s) used internally."

Details:

USCIS notice (June 11, 2024).

President Suspends and Limits Entry Into the United States of Certain Noncitizens, With Exceptions

Subject to certain exceptions, as of June 5, 2024, President Biden has "suspended and limited" entry into the United States of certain noncitizens across the southern border. In related remarks accompanying a Presidential Proclamation, President Biden said, "Migrants will be restricted from receiving asylum at our southern border unless they seek it after entering through an established lawful process."

Exceptions include lawful permanent residents, noncitizen nationals of the United States, noncitizens with valid visas or other lawful permission to enter, noncitizens traveling under the Visa Waiver Program, unaccompanied children, and others, as set forth in the Presidential Proclamation.

The order will be lifted "14 calendar days after the [Secretary of Homeland Security] makes a factual determination that there has been a 7-consecutive-calendar-day average of less than 1,500 encounters" of unauthorized noncitizens at the border, with some exceptions. The suspension and limitation on entry applies "on the calendar day immediately after the Secretary has made a factual determination that there has been a 7-consecutive-calendar-day average of 2,500 encounters or more," a threshold that has been met.

Lee Gelernt, a spokesperson for the American Civil Liberties Union (ACLU), said the ACLU plans to sue. "A ban on asylum is illegal just as it was when Trump unsuccessfully tried it," he said.

Details:

- <u>Presidential Proclamation</u> (June 4, 2024).
- Remarks by President Biden on Securing Our Border (June 4, 2024).
- Biden Signs Executive Action Drastically Tightening Border, NBC News (June 4, 2024).
- "Securing the Border," <u>interim final rule</u>, Departments of Homeland Security and Justice, 89 Fed. Reg. 48710 (June 7, 2024).

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DOJ Sues Oklahoma Over New State Enforcement Law Against Unauthorized Noncitizens

The Department of Justice (DOJ) has sued the state of Oklahoma over House Bill (HB) 4156, a new law that DOJ says "impermissibly creates a state-specific immigration system that effectively seeks to regulate noncitizens' entry, reentry, and presence in the United States." In the suit, DOJ likened HB 4156 to "Texas's preliminarily enjoined Senate Bill 4 and Iowa's recently enacted Senate File 2340." HB 4156, effective July 1, 2024, creates new state crimes and imposes state penalties on noncitizens in Oklahoma who unlawfully enter or reenter the United States, the suit says.

DOJ's suit notes that "Congress has established a comprehensive scheme governing noncitizens' entry and reentry into the United States—including penalties for unlawful entry and reentry...and removal from the country." The agency argues that "HB 4156 intrudes on that scheme, frustrates the United States' immigration operations, and interferes with U.S. foreign relations. It is preempted by federal law and thus violates the Supremacy Clause of the United States Constitution. HB 4156 also violates the dormant Foreign Commerce Clause, which limits the power of the States to regulate the international movement of persons. Accordingly, the United States seeks a declaration invalidating, and an order enjoining the enforcement of, HB 4156."

Details:

- U.S. v. State of Oklahoma, Case No. COMPLAINT CIV-24-511-J (May 21, 2024).
- <u>HB 4156</u> (approved by governor Apr. 30, 2024).

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BALCA, OALJ Offices Move

The national, Washington, DC, and Cherry Hill offices of the Board of Alien Labor Certification Appeals (BALCA) and the Office of Administrative Law Judges (OALJ) have relocated to the Frances Perkins building in DC. Effective immediately, all mail to these offices should be sent to:

U.S. Department of Labor Office of Administrative Law Judges 200 Constitution Ave., NW Room S-4325 Washington, DC 20210

The telephone and fax numbers for the offices remain the same.

Details:

OALJ notice (May 7, 2024).

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ABIL Global: Colombia

This article discusses visa options for retirees and "digital nomads" in Colombia.

Colombia: An Emerging Haven for Foreign Retirees

In recent years, <u>Colombia</u> has emerged as one of the most attractive destinations for foreign retirees, consistently ranking high in various international listings. The country's appeal lies in its diverse climate, rich biodiversity, affordable cost of living, excellent culinary offerings, and vibrant cultural scene. Foreign retirees often highlight the warm and welcoming attitude of Colombians, which greatly facilitates their integration into local communities. Cities like Medellín, Cartagena, Santa Marta, and those in the coffeegrowing region are particularly popular among this demographic.

Visa Options for Retirees

Colombia offers a specific migrant visa category for retirees, outlined in its current immigration regulations. This visa is available to foreigners with a steady monthly income from a pension granted by a government or private pension fund. The visa is valid for up to three years and can be renewed indefinitely. Importantly, this visa allows multiple entries into the country. Retirees who have held this visa continuously for at least five years are eligible to apply for a permanent resident permit.

Requirements for the Retiree Visa

To obtain the retiree visa, applicants must provide:

1. **Pension Certification**: Proof of a monthly pension payment of no less than USD 1,000.

- 2. **Police Clearance**: A document confirming the applicant has no criminal record duly apostilled and sworn (translated).
- 3. **Medical Certificate**: This document can be issued from a doctor abroad and must come apostilled and sworn (translated if needed) or issued in Colombia.
- 4. **International Medical Insurance**: Confirmation of coverage within the national territory against all risks in case of accident, illness, maternity, disability, hospitalization, death, or repatriation, for the duration of stay in Colombia.

Colombia's unique blend of natural beauty, cultural richness, and welcoming atmosphere makes it an ideal retirement destination. The retiree visa facilitates a smooth transition for foreigners looking to make Colombia their new home, offering benefits such as long-term stay options and the potential for permanent residence.

Digital Nomads in Colombia

The Ministry of Foreign Affairs issued Resolution 5477 on July 22, 2022, which established new provisions on types of visas, application processes, and issuance, among others. One of the main changes to the Colombian immigration regime introduced by Resolution 5477 is the inclusion of the Visitor Visa for Digital Nomads. Since October 21, 2022, the date on which the new immigration regime entered into force, foreigners, whether independently or labor-related, who wish to enter to provide remote work or teleworking services from Colombia, through digital media and internet, exclusively for foreign companies, or to start a digital content or information technology venture of interest to the country, may request and obtain a Visitor Visa for Digital Nomads at a Colombian consulate abroad or directly at the Ministry of Foreign Affairs.

Among other requirements, the applicant must demonstrate through bank statements a minimum income equivalent to minimum monthly wages (approximately USD 1,220) during the last three months, and health insurance with coverage in Colombia against all risks in case of accident, illness, maternity, disability, hospitalization, death, or repatriation, for the planned duration of stay in Colombia.

This multiple-entry visa is valid up to two years. The authorized period of stay is the same time for which it is granted. It allows beneficiary visas for the spouse, permanent partner, and children of the holder. The holder of this visa may not work or carry out any paid activity with a natural or legal person in Colombia. According to Resolution 5477, this visa is apparently only applicable to those foreigners who are exempt from short-stay visas to enter Colombia, such as those listed in Resolution 5488 of 2022.

Similarly, nationalities that do not require a short-stay visa may enter without a visa and remain in Colombia with an entry and stay permit granted by Migración Colombia. With this permit, Digital Nomads can stay in the territory for up to 90 days (continuous or discontinuous), extendable for another 90 days as long as the activities they carry out do not generate payments from Colombian companies. Despite the above, it is not certain whether this type of activity can be carried out with a tourist permit (PT), integration and development permit (PID), or permit for other activities (POA), since those currently do not specifically allow this type of activity. Thus, authorization by the competent authorities must be obtained before carrying out digital nomad activities with the aforementioned permits. Possibly a new permit will be created that explicitly authorizes the execution of this type of activity.

New Publications and Items of Interest

Webinar on Ombudsman's Report to Congress. The Department of Homeland Security's Office of the Citizenship and Immigration Services Ombudsman (CIS Ombudsman) announced a webinar highlighting its 2024 Annual Report to Congress on Tuesday, July 30, 2024, from 1 to 2 p.m. ET. CIS Ombudsman staff will discuss the topics covered in this year's report, including:

- Year in Review: An overview of 2023 for both USCIS and the CIS Ombudsman
- Recommendations for a Proactive Approach to Collecting Biometrics from Asylum Applicants in Removal Proceedings
- Reexamining the Administration of the English Portion of the Naturalization Test
- USCIS' Prioritization Dilemmas: Lessons From the Form I-601A Backlog
- Lost Mail and the Challenges of Delivering USCIS Documents
- Meeting the Growing Demand for Employment Authorization Documents
- Clarifying Processing Times to Improve Inquiries and Manage Expectations
- Looking Backward, Looking Forward: Thoughts on the Future of USCIS

During the webinar, participants will be able to submit questions and comments. To join the webinar, click on this <u>Teams link</u>. Registration is not required.

Fact sheets on LPRs in various areas. U.S. Citizenship and Immigration Services (USCIS) has released fact sheets on select characteristics of people with lawful permanent residence (LPR) (green card) status, including:

- Buffalo-Cheektowaga, NY
- New York-Newark-Jersey City, NY-NJ-PA
- Philadelphia-Camden-Wilmington, PA-NJ-DE-MD
- Los Angeles-Long Beach-Anaheim, CA
- New Orleans-Metairie, LA
- Durham-Chapel Hill, NC
- San Antonio-New Braunfels, TX
- Brownsville-Harlingen, TX

USCIS said that "[p]roviding more information on the eligible to naturalize population is in keeping with the Executive Order on Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans (E.O. 14012)."

USAID resources for Temporary Work Abroad. The U.S. Agency for International Development (USAID) released resources on temporary work programs for <u>Guatemalans</u> and <u>Hondurans</u>. USAID also released information on how to recruit a Honduran workforce.

OFLC updates Appendix A to the Preamble – Education and Training Categories by O*NET-SOC occupations for July 2024 through June 2025 wage year. On November 15, 2021, the Department of Labor's Employment and Training Administration announced that the Office of Foreign Labor Certification (OFLC) was updating Appendix A to the Preamble–Education and Training Categories by Occupational Information Network (O*NET)-Standard Occupational Classification (SOC) Occupations. OFLC explained that Appendix A is a list of professional occupations that serves as a guide for employers to distinguish between professional and non-professional occupations when complying with the professional recruitment requirements of the PERM program. On June 26, 2024, OFLC released this year's Appendix A, which implements the new list of professional occupations for the July 2024 through June 2025 wage year and will be effective starting July 1, 2024.

H-2A hourly Adverse Effect Wage Rates for Non-Range Occupations published: The Department of Labor's Employment and Training Administration is <u>updating</u> the Adverse Effect Wage Rates (AEWRs) under the H-2A temporary agricultural employment program that apply to a limited set of H-2A job opportunities for which the AEWR is determined using the Bureau of Labor Statistics OEWS survey. These changes are effective July 8, 2024.

Info on workers'/advocates' requests for deferred action: The Department of Justice's Civil Rights
Division has posted information on how workers and their advocates can ask the Civil Rights Division to
support a worker's request for deferred action that is based on the worker's participation in a Civil
Rights Division enforcement matter. A fact sheet addresses several related topics.

Farmworker webinar materials: On June 6, 2024, the Office of Foreign Labor Certification's (OFLC) Wage and Hour Division, and the Office of Workforce Investment, conducted a webinar on changes to the H-2A and Wagner-Peyser Employment Service programs made by the 2024 Farmworker Protection Final Rule. The presentation materials are located on OFLC's website under the "Webinars" tab at the bottom of the H-2A Program page and are available at the links below:

- View the slides of the Farmworker Protection Final Rule
- View the webinar recording of the Farmworker Protection Rule

E-Verify webinars: E-Verify has updated its <u>calendar of webinars</u>. There is a <u>new webinar</u> focusing on acceptable documents for the Form I-9 work authorization verification process, to be presented July 9 and 17, and August 14 and 27, 2024. Other topics include E-Verify for existing and Web services users, employee rights, employer responsibilities, information for federal contractors, an overview of E-Verify and Form I-9 requirements, and myE-Verify, among others.

SAVE webinars: Systematic Alien Verification for Entitlements (SAVE) has updated its <u>calendar of webinars</u>. Topics include current users and best practices, and an overview.

Immigration agency X (formerly Twitter) accounts:

EOIR: @DOJ_EOIRICE: @ICEgov

• Study in the States: @StudyinStates

USCIS: @USCIS

Alliance of Business Immigration Lawyers: ABIL is available on X (formerly Twitter): @ABILImmigration

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ABIL Member/Firm News

Klasko Immigration Law Partners, LLP, published a client alert, What You Need to Know About President Biden's New Immigration Actions.

Klasko Immigration Law Partners, LLP, published a blog post: <u>Canada is Implementing New Immigration</u> Strategies to Reduce the Number of Temporary Residents by 2027.

Charles Kuck was quoted by Law360 in Expired Diversity Visas Can't Be Processed, DC Circ. Says. The article discusses a decision by the U.S. Court of Appeals for the District of Columbia on June 25, 2024, that reversed several lower court orders requiring the Department of State to process applications for diversity visas for fiscal years 2020 and 2021 after the deadline. Mr. Kuck, representing the plaintiffs in an appeal, told Law360 the legal team is disappointed by the decisions, "especially that it took more than 21 months for a resolution that protects the unconscionable efforts of the Department of State to intentionally deprive our clients of this opportunity to become permanent residents of the United

States. Shame on the Biden administration for appealing this case."

Cyrus Mehta, Greg Siskind of Siskind Susser PC, and William Stock were quoted by Law360 in Immigration Attys Cautiously Optimistic After Chevron Ruling [available by registration]. Among other things, Mr. Mehta said, "I think [what constitutes a particular social group under asylum law is] basically up for challenge" in the wake of the Loper Bright Supreme Court decision, which upended the Chevron defense. Mr. Siskind said, "There is already discussion happening over rules that are decades old getting a fresh look. It's going to be a very tumultuous period in the next few years and Congress needs to finally get back to managing immigration policy as the Constitution intended." Mr. Stock said, "Even in circuits which tend to be reluctant to overturn removal orders, you'll at least have them having to grapple with whether the [Board of Immigration Appeals'] decision is legally correct."

Mr. Mehta was quoted by *Bloomberg Law* in <u>Immigration Proponents Get Boost From End to Chevron Doctrine</u>. Having *Chevron* off the table could help pro-immigrant plaintiffs suing over a regulatory rescission of those programs because the executive wouldn't be entitled to deference without a reasoned analysis of those decisions, he said: "That would give a better legal basis to challenges to regulations that are restrictive."

Mr. Mehta was quoted by the *Times of India* in America's SC: Courts Need Not Defer to Federal Agency Decisions—It's a Mixed Bag for the Indian Diaspora. He said, "Without Chevron, federal courts will no longer pay deference to a government agency's interpretation of a provision in the Immigration and Nationality Act (INA). Hence, employers may be able to find a court willing to give a more favorable interpretation of a statute granting H-1B or L visa classification to a noncitizen worker." He added, "Similarly, the USCIS in recent years provided an interpretation to the 'extraordinary ability' or 'outstanding researcher' categories in employment-based first preference petitions that was difficult to meet. Removing deference to these interpretations will more likely result in successful challenges to these denials in federal court. The USCIS will be held to the strict language of the statute and its expansive interpretation of the statute may no longer be allowed to stand." He also noted, "Even if Chevron no longer helps, there is also a clear authorization in the INA for the USCIS to issue work authorization to noncitizens and to set time and other conditions for nonimmigrants under the INA without having to rely on an expansive interpretation of the statute to issue such benefits."

Mr. Mehta authored several blog posts: <u>The Uncertain Path of the D-3 Waiver for DACA Recipients</u>
<u>Under Biden's New Immigration Initiative</u> and <u>Granting Deferred Action to Aging Out Children in Lawful</u>
Status Is Preferable to Having them Start All Over Again.

Mr. Mehta was quoted extensively by Forbes in DHS, USCIS Urged to Protect Green Card Applicants and Their Children. The article notes that a new letter by a bipartisan group of lawmakers in Congress urges the Biden administration to take action to protect the children of green card applicants and proposes several policy changes. Mr. Mehta said, among other things, that the administrative proposals in the letter "are both interesting and intriguing as they may only give a temporary benefit to the child who has aged out with no pathway to permanent residence. Still, until Congress provides a legislative solution, these proposals, especially the first and second, would be an interim solution." The article notes that Mr. Mehta favors advancing the Dates of Filing in the Department of State's Visa Bulletin as much as possible to allow those waiting in employment-based green card categories to file I-485 applications for adjustment of status.

Mr. Mehta, <u>Stephen Yale-Loehr</u>, and several others co-authored a blog post, <u>Think Immigration</u>: <u>Chevron Is Dead! Thoughts on the Immigration Impact of Loper Bright Enterprises</u>, for the American Immigration Lawyers Association.

Mr. Mehta and Kaitlyn Box co-authored a blog post: <u>SEC v. Jarkesy</u> and <u>Loper Bright v. Raimondo: How</u> the Supreme Court's Dismantling of the Administrative State Impacts Immigration Law.

Mr. Mehta, Mr. Yale-Loehr, and Mr. Stock were quoted by Law360 in Justices' SEC Ruling Unlikely to Bear on Immigration Actions (available by registration). Commenting on the Supreme Court's ruling, Mr. Mehta noted that it meant that immigration cases won't require a jury trial. He said that if a case were "before an administrative law judge or before an immigration court, I don't think Jarkesy impacts immigration hearings based on this decision." Mr. Stock said the impact of Jarkesy on immigration would be negligible. With respect to immigrants, "you don't have any rights unless Congress gives them to you, full stop," he said, noting a possible exception for cases involving fines related to behavior between two private parties. Mr. Yale-Loehr said, "Justice Roberts noted several categories of cases concerning public rights, including immigration law. In such cases, agency penalties do not require a jury trial."

John Pratt was elected to the Board of Directors of Invest in the USA (IIUSA), the largest EB-5 trade organization in the United States. Founded in 2005, IIUSA is the national membership-based 501(c)(6) not-for-profit industry trade association for the EB-5 Regional Center Program. To date, IIUSA represents 200+ Regional Center members and 120+ Service Provider members across the country serving 47 states/territories. IIUSA said its work has "empowered our members to create tens of thousands of jobs in a wide range of industries and American communities," generating more than \$32 billion in foreign direct investment. Through dedicated advocacy work, education, industry development, and research, IIUSA advocates for policies that maximize economic benefit to the United States. "Our primary mission is to achieve the permanent Congressional reauthorization of the EB-5 Regional Center Program after over 30 years of enthusiastic bipartisan support and record-breaking economic impact," IIUSA said.

Mr. Siskind was quoted by *Reason* in Why the End of Chevron Could Be a Win for Immigrants. He said, "Congress has passed almost no immigration legislation in the past 20 years," but "presidents still have to administer the immigration system even as the legislation becomes more and more out of date." In practice, he explained, that means presidents have "gotten more and more creative in interpreting existing statute language to achieve their policy objectives in the absence of Congress playing a role." He noted that presidents "have issued an assortment of administrative rules and policies to implement those policies." Mr. Siskind said that agencies "will still be able to defend interpretations of ambiguous statutes, but they will need to provide a lot more evidence that their interpretation is consistent with the statute and a judge will have a lot more authority to disagree and impose his or her own view of what that statute means. So I expect both pro-immigration and anti-immigration plaintiffs to attack a variety of policies and for the courts to play a much bigger role in setting immigration policies for the country."

Mr. Siskind was awarded the inaugural Technology & Innovation Award by the American Immigration Lawyers Association (AILA) "in acknowledgment of his pioneering work leveraging technology to streamline processes, increase efficiency, and improve client service." AILA said that Mr. Siskind "has led in the area of immigration law and technology for years - his history as a website pioneer, early internet marketer, co-founder of IMMPact Litigation, and more. But most recently he has truly made astonishing strides. As a co-founder of Visalaw.ai, he harnessed his vision and commitment to building a generative AI product specifically for immigration lawyers." AILA also noted that "Mr. Siskind helps others develop their own abilities and knowledge on how technology might help them in their practices. He appears in countless webinars, roundtables, innovation focus groups, chapter seminars, and national conferences. He also prepares and produces an annual survey of immigration case management software, then works with AILA to publish it for members." Through his work, AILA said, Mr. Siskind "has inspired a generation of immigration lawyers to embrace technology and innovation in their practices."

Mr. Yale-Loehr was quoted by *Univision* in <u>The Debate on Biden and Trump Immigration Policies:</u>
Exaggerations and Lack of <u>Proposals</u> (in Spanish with English translation available). He said, "Biden favors legal immigration; Trump wants to deport the country's 11 million undocumented immigrants. They both want to control our borders, but Trump is willing to go further than Biden to close the border." Mr. Yale-Loehr specified that "no matter who wins the White House, they will inherit a failed

immigration system. There is a lot a president can do to improve immigration policies through executive actions. Ultimately, Congress needs to enact immigration reform. That may be easier or more difficult depending on which party wins the House of Representatives and the Senate."

Mr. Yale-Loehr was quoted by the Verge in What Scotus Just Did to Broadband, the Right to Repair, the Environment, and More. He said, "In the past, employers have had a hard time overturning narrow interpretations of H-1B issues because of Chevron deference. Now, however, people who feel that the agency is too stingy in its interpretation of various visa categories may be more likely to seek court review." The article notes that "[t]he effects of this patchwork system will not be felt immediately, nor will they be felt evenly." Mr. Yale-Loehr said, "A lot needs to be worked out, and it will be confusing and complicated for several years."

Mr. Yale-Loehr was quoted by *Univision* in <u>Debate: Biden and Trump's Immigration Policies Clash on Everything and Agree on Nothing</u> (in Spanish with English translation available). He said, "Biden favors legal immigration; Trump wants to deport the country's 11 million undocumented immigrants. They both want to control our borders, but Trump is willing to go further than Biden to close the border." He noted that "no matter who wins the White House, they will inherit a failed immigration system." Mr. Yale-Loehr noted that "[t]here is a lot a president can do to improve immigration policies through executive actions. Ultimately, Congress needs to enact immigration reform. That may be easier or more difficult depending on which party wins the House of Representatives and the Senate."

Mr. Yale-Loehr was quoted by Newsday in Migrant Crisis: Hope and Uncertainty for Ecuadorian Man Returning to New York City (available by subscription). Mr. Yale-Loehr observed that President Biden toughened asylum restrictions on June 4, 2024, but "Julio [Zambrano] came in before these recent changes, so it doesn't affect him." Lawyers are critical in asylum and other immigration hearings, he said. "If he has an attorney, his chances of winning are going to be much higher than if he tries to do it on his own. Which judge Mr. Zambrano ends up getting also can make a huge difference, Mr. Yale-Loehr said. "Some judges in New York are pretty lenient on asylum cases, and others are very tough. As one person called it, it's refugee roulette."

Mr. Yale-Loehr was quoted by the New York Times in Small Step Could Bring Big Relief to Young Undocumented Immigrants. The article discusses a measure announced by the Biden administration on June 18, 2024, that will enable certain Deferred Action for Childhood Arrivals (DACA) beneficiaries to receive employer-sponsored work visas and become eligible to apply through their employers for permanent residence. "It is a small step within a complex immigration system that can smooth the way for many individuals to get a work visa more quickly," Mr. Yale-Loehr said.

Mr. Yale-Loehr was quoted by Forbes in DACA Recipients Could Gain H-1B Visas Under New Immigration Policy. He said, "The parole in place provisions for undocumented spouses of U.S. citizens will get more press attention, but the other administrative action may be just as important. Employers have been reluctant to use the D-3 waiver because the process was slow and unclear. New State Department guidance is expected to make D-3 waivers more predictable and faster. In this tight labor market, that will be great news for employers."

Mr. Yale-Loehr was quoted by Newsweek in Joe Biden Embraced Trump's Border Tactics. It Doesn't Seem to Be Working. He said, "There is only so much any president can do to manage border flows. People flee their homes for many reasons, including persecution, war, climate change, and poverty. A presidential proclamation isn't going to stop that." Mr. Yale-Loehr said that only "a multipronged approach can manage migration effectively. Such an approach would include working with regional partners, establishing safe mobility offices to educate people about their visa options before they leave home, and increasing foreign aid to improve economies so people don't need to leave home to survive. The Biden administration is trying all these actions. It will just take time to see any meaningful results."

Mr. Yale-Loehr was awarded the Robert Juceam Founders Award by the American Immigration Lawyers Association (AILA). The award is given to "the person or entity having the most substantial impact on the field of immigration law or policy." AILA said that Mr. Yale-Loehr "has been a giant in the immigration legal community for decades. Not only has he had an immense impact on the students he teaches at Cornell Law School, [but] he has written a casebook on immigration law, and edited numerous immigration publications" that reach far beyond the classroom. AILA noted that Mr. Yale-Loehr has served on AILA's National Asylum and Refugee Committee and contributed to many other national committees. He also shares key insights with the media through regular outreach to reporters and has served as a resource. Mr. Yale-Loehr has practiced immigration law for more than 35 years. "He also teaches immigration and asylum law at Cornell Law School as Professor of Immigration Practice and is of counsel at Miller Mayer in Ithaca, New York. He also founded and was the original executive director of Invest In the USA, a trade association of EB-5 immigrant investor regional centers," AILA said. Mr. Yale-Loehr is a founding member of the Alliance of Business Immigration Lawyers. He was the "2001 recipient of AILA's Elmer Fried Award for excellence in teaching and the 2004 recipient of AILA's Edith Lowenstein Award for excellence in advancing the practice of immigration law. He is also a Fellow of the American Bar Foundation and a non-resident fellow at the Migration Policy Institute." AILA said Mr. Yale-Loehr has also "mentored hundreds of law students and immigration lawyers" and "embodies the best of scholarship, practice, and teaching."

Mr. Yale-Loehr was quoted by the Associated Press in The ACLU is Making Plans to Fight Trump's Promises of Immigrant Raids and Mass Deportations. He said, "The second Trump administration, if there is one, will be better prepared" to overcome lawsuits than the first one was. He noted that the first Trump administration often saw its policies halted by rulemaking and procedural mistakes that it could fix this time around. For example, it could use past legal decisions to find workarounds. "Both sides have seen the litigation battles, and seen how the courts have ruled," Mr. Yale-Loehr said.

Mr. Yale-Loehr was quoted by Law360 in Exceptions May Help New Border Rules Survive Litigation (available by registration). He said that a new Biden administration policy, similar to Trump administration travel bans, to restrict entry if unauthorized border crossings exceed a limit—set forth in a presidential proclamation and an interim final rule—will be "a close call if it goes to the Supreme Court. The Biden administration will say that this too has certain exceptions, and it is temporary, and therefore it's within the zone of deference that should be accorded to the president under [INA §] 212(f). I'm sure the ACLU and others will argue that that is a direct conflict. And therefore, even under Trump v. Hawaii, this new presidential proclamation and executive order are illegal or violate the law."

Mr. Yale-Loehr was quoted in several news articles about President Biden's immigration actions, including the Los Angeles Times, Vox, Newsday, Scripps News Service, and Yahoo. For example, in Biden's Sweeping New Asylum Restrictions, Explained (Vox), Mr. Yale-Loehr said, "Immigrant advocates will say the asylum provision explicitly allows people to apply for asylum even if they enter between ports of entry, and therefore to suspend entry because too many people are entering between ports of entry violates an express provision of the immigration law. Courts will have to decide how much deference to give President Biden and whether his lawyers have crafted the executive order carefully enough."

Mr. Yale-Loehr was quoted by the *Voice of America* in On Immigration Reform, U.S. Has Accomplished Next to Nothing in Decades. He said that "immigration reform has always been hard to get through Congress. ... Donald Trump wants to make immigration one of his key pillars of his campaign. So he basically killed the efforts in the Senate and the House earlier this year." According to Mr. Yale-Loehr, there is no possibility of immigration reform legislation until 2025. "And even then, it will depend on who is the president and who controls the House and the Senate." He said that he does not expect reform any time soon. "We have a broken immigration system. Courts have said that immigration law is as complex as our tax law. And just as it seems impossible for Congress to overhaul our tax system, I don't think any Congress is likely to be successful in trying to reform all of our broken immigration system. ... But there are bits and pieces that Congress could pass as sort of a down payment," he said.

Mr. Yale-Loehr was quoted by Law360 in Migrant Influx Fuels Push for Right to Immigration Counsel. He said that reforming the immigration system and expanding access to counsel should both happen simultaneously: "We need to do both. We have a broken immigration system, and we do need to overhaul it. But whether we overhaul it or are stuck with the existing system a while longer, we need more immigration lawyers and other navigators to assist immigrants in immigration proceedings."

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ABIL Members and lawyers who are on the American Immigration Lawyers Association's National Committees include:

USCIS Benefits & Policy Committee: Vincent Lau (Vice Chair), Vic Goel, Ari Sauer

DOL Liaison Committee: Andrea-Li Wallace, Michele Madera

DOS Liaison Committee: Magaly Cheng, Elise Fialkowski, Elissa Taub

CBP National Liaison Committee: Janice Flynn EOIR Committee: Dustin Baxter, Aaron Hall

USCIS Field Operations Committee: Charles Kuck, Johnna Main Bailey

EB-5 Committee: Kristal Ozmun H-1B Taskforce: Dagmar Butte

Military Committee: Daniel Carpenter, Catherine Magennis

Verification & Compliance Committee: Timothy D'Arduini, Marketa Lindt, Matthew Webster

Benefits Litigation Committee: David Isaacson, Zachary New, John Pratt Standing Committee on Political Engagement (SCOPE): William Stock

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Innovation and Technology Summit Planning Committee: Julie Pearl

AILA Law Journal: Cyrus Mehta (Editor-in-Chief), Kaitlyn Box (Editorial Board Member), Dagmar Butte

(Editorial Board Member)

2024-2025 AILA Online Course Review Committee: Avalyn Langemeier (Vice Chair)

Mid-South Chapter Chair: Jason Susser

Government Agency Links

Follow these links to access current processing times of the USCIS Service Centers and the Department of State's latest Visa Bulletin with the most recent cut-off dates for visa numbers:

USCIS case processing times online: https://egov.uscis.gov/processing-times/

Department of State Visa Bulletin: https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin.html

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About ABIL

The Alliance of Business Immigration Lawyers (ABIL) offers a single point of contact for customer needs, news alerts, staff training, and other programs that benefit clients through the collaboration of more than 400 member lawyers and their more than 1,000 staff. Corporate counsel, human resource professionals, in-house immigration managers, and other corporate decision-makers turn to ABIL lawyers for outstanding legal skills and services. ABIL's work also includes advocating for enlightened immigration reform, providing speakers and media sources, presenting conferences, publishing books and articles on cutting-edge immigration topics, and sharing best practices, all with the ultimate goal of offering value-added services to business immigration clients.

The Alliance of Business Immigration Lawyers' website is at https://www.abil.com/. ABIL is also on X (formerly Twitter): @ABILImmigration.

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