

GLOBAL IMMIGRATION UPDATE

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[GOVERNMENT IMMIGRATION FEES: AN OVERVIEW](#)

This article provides an overview of government immigration fees in several countries.

Belgium

Strictly speaking, there is no filing fee for work authorization for third-country employees. Third-country individuals who want to be active in Belgium as self-employed must apply for a professional card. The filing fee is €140, or, if filed abroad, the equivalent in local currency of €140 (at present \$153 USD). There is no "premium processing" fee.

However, there is a "contribution fee" to be paid when filing a first work authorization or professional card application. This fee covers the administrative costs for processing an application for Belgian long-term residence. If a "long stay" D visa application must be filed, the contribution fee comes on top of the visa application fee (see below). The contribution fee for first applications for employees is €144. The contribution fee for those who are self-employed with a professional card is €229. Family members who are 18 years or older, applying for a D visa under family reunification, must also pay a contribution fee of €206.

Work authorization is issued without cost. Administrative fees for a professional card amount to €90 per year of validity.

Upon approval of the work authorization or the professional card, a D visa for Belgium is required. In principle, a D visa application fee (equivalent in local currency to €180; i.e., at present \$196 USD) will have to be paid by the D visa applicant to the Belgian embassy/consulate general in the home country. The exact amount can be checked on the website of the Belgian embassy/consulate general in the home country.

Upon arrival in Belgium, a Belgian residence permit must be applied for. The administrative fees for residence permits in Belgium range between 50€ and 250€. The fees depend on the municipality of residence and on the process for the physical issuing of the Belgian residence permit (standard or urgent processing).

Italy

Below is an overview of the most common immigration-related government fees:

- **Work permit application:** 2 government stamps of €16: total **€32**
- **Family clearance application:** 2 government stamps of €16: total **€32**
- **D type visa application:** **€116,00**, to be paid at the consulate in local currency
- **Residence permit:** 1 government stamp €16; + RP filing fee (from €40 to €100) + RP card printing fee €30.46 + 2; + post office managing fee €30. Total **from €118.46 to €178.46**
- **Identity Card application:** €22 (approx.)

Türkiye

Türkiye's immigration government fees have not increased in the past several years in terms of euros/USD. This is the case even though inflation has been quite high, so fees from a Turkish lira perspective have risen. For example:

- A one-year work permit government fee is a bit over €200, and about €400 for a two-year work permit.
- Residence permit fees are approximately €100 for one year, and approximately €150 for two years (with a complicated matrix to calculate government fees that depends on nationality and validity length).

For residence permit applications, the government fee may pale in comparison to the cost for the notarization, translation, and legalization of several biographical documents. Given the high amount of government staff time needed to adjudicate a residence permit application and the high rate of denial of short term residence permits (not the case for dependent residence permits), it is surprising that the filing fees have not increased more from a euro/USD perspective.

United Kingdom

The United Kingdom's (UK) immigration fees have risen significantly over the past 20 years and are now some of the highest in the world. Immigration fees generated revenue of more than £2.1billion in 2022–23. The UK Home Office generates a profit on the fees it charges and uses this to subsidise UK border security and enforcement operations. The latest rise in October 2023 increased application fees by a further 15 to 20 percent on average, and the Immigration Health Surcharge increased in February 2024 by 66 percent to £1035 payable for each year of a person's visa.

Total fees payable to the UK government for a five-year visa for a Skilled Worker working for a large employer plus a family of three dependents are now more than £29,000. Combined with the major increases in the general minimum annual salary threshold for Skilled Workers (from £26,200 to £38,700) and to the "going rates" for specific occupations that must be paid to Skilled Workers in April 2024, these costs are acting as a major disincentive to recruit overseas workers, particularly in sectors that pay lower wages, in the regions outside London and the South East of England, where wages are typically lower and for businesses that hire graduates and younger workers at early stages in their careers.

The fee and minimum salary increases are a direct attempt by the UK to dampen demand for overseas workers in the face of the UK's highest ever recorded net migration figures in 2022 (745,000) and high figures in 2023 (683,000), and in the run-up to the 2024 UK General Election, where migration was seen as a key policy issue.

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Country Updates

COLOMBIA

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

Colombia: An Emerging Haven for Foreign Retirees

In recent years, [Colombia](#) has emerged as an attractive destination 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 coffee-growing 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, can be renewed indefinitely, and 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 at least \$1,000 USD.
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 for some retirees. 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 \$1,220 USD) 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 for 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, nationals of countries 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.

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EUROPEAN UNION

The Council of the European Union has extended temporary protection for Ukrainian refugees until March 2026.

In a press release on June 25, 2024, the Council of the European Union announced its decision to extend until March 4, 2026, temporary protection for Ukrainian refugees fleeing from Russia's war with Ukraine.

The temporary protection mechanism was initially triggered on March 4, 2022. The latest extension does not change the categories of persons covered by temporary protection.

This move by the Council aims to provide continued support and stability for Ukrainians who have sought refuge in Europe amid the ongoing conflict in their home country.

For further information, see <https://www.consilium.europa.eu/en/press/press-releases/2024/06/25/ukrainian-refugees-council-extends-temporary-protection-until-march-2026/>

ITALY

Italy has amended its immigration law to provide quota-free entry for foreign workers. Also, under new EU Blue Card implementing guidelines, Italy has expanded acceptable documentation of validation of university diplomas.

Quota-Free Entry for Workers

A recent amendment to the Italian Immigration Law (*Testo Unico dell'Immigrazione*), introduced in 2023, represents a significant innovation for the entry of foreign workers through a non-quota entry route.

The new provisions allow foreign workers who have completed professional and civic-linguistic training programs approved by the Ministry of Labor and Social Policies to enter Italy and be employed at any time of the year without being subject to the limitations of entry quotas set by the flow decrees (*decreti flussi*).

To benefit from this opportunity, workers must have completed training programs in Professional Training (to acquire the technical skills needed to perform specific job roles required by Italian companies) and Civic-Linguistic Training (Italian language learning and civic training to facilitate the worker's integration into Italian society).

The procedure for bringing in and employing foreign-trained workers includes:

- **Identification of Programs:** Companies must identify and collaborate with approved training programs.
- **Entry Application:** Employers can submit an application for the entry of the foreign-trained worker at any time during the year.

- Evaluation and Authorization: Competent authorities will evaluate the application and, if approved, authorize the worker's entry into Italy.

This new provision offers several advantages to Italian companies:

- Flexibility: Companies can quickly respond to labor needs without waiting for annual flow decrees.
- Competitiveness: The new provision allows faster access to qualified workers and thus helps companies maintain and increase their market competitiveness.
- Targeted Training: Workers who complete approved training programs are already prepared for the specific needs of Italian companies.

Only programs officially recognized by the Ministry qualify workers for the "quota-free" entry. For more details, see the list of approved programs and countries involved in the project [here](#).

EU Blue Card in Italy: Validation of a University Diploma

According to the new European Union (EU) Blue Card implementing guidelines, Italian authorities are now accepting the [CIMEA](#) (Information Centre on Academic Mobility and Equivalence) [Statements of Comparability and Verification](#) as an alternative to the Declaration of Value (*Dichiarazione di valore*) diploma validation.

The primary goal of CIMEA is to enhance academic mobility in all its forms. CIMEA aims to facilitate understanding of the Italian education system and foreign education and training systems, while promoting the principles of the Lisbon Recognition Convention on qualifications recognition. The [website](#), available in English, provides useful information on the application process. By paying a reasonable fee, it is possible to have the statement issued in 60 days. To apply for CIMEA's services, you will be asked to upload scanned copies of your documents (e.g., diplomas, transcripts) to the dedicated [platform](#). The website guides the user through the submission process, provides a list of documents required for each country (and indicates if translation is required), and generally helps in navigating the overall process with clear guidelines.

Applicants should be aware, however, that local offices are implementing the new guidelines slowly and that the EU Blue card online application form has not yet been updated by the government. Before going for the CIMEA validation, it is advisable to ask the relevant immigration office whether they accept it in place of the *Dichiarazione di valore* at this stage.

UNITED KINGDOM

There have been developments related to right-to-work checks and the transition to eVisas.

Right-to-Work Checks on BRPs Short-Dated to 31 December 2024

There is an ongoing Home Office transition to eVisas, which means that people with a physical immigration document such as a Biometric Residence Permit (BRP) must apply for an eVisa before the end of 2024. Anyone with a BRP having an expiration date of 31 December 2024 whose UK visa is valid beyond that date will need to apply. BRP holders will need to register for a UK Visas and Immigration (UKVI) account. The eVisa is the online record of the immigration status contained in the UKVI account.

In relation to right-to-work checks on employees with a BRP short-dated to 31 December 2024, the new guidance confirms the following:

- Online check. Where an employer has carried out an online right-to-work check on a BRP, they will have seen the expiration date of the visa itself, rather than the short-dated 31 December 2024 BRP expiration date. In this situation, no immediate action is required. The usual repeat check can be made before the visa expires.
- Manual original document check. Before April 6, 2022, employers could carry out a manual right-to-work check on an original BRP. Where the employer has carried out such a check and recorded 31 December 2024 as the right-to-work expiration date, the guidance says that a "follow-up check"—an [online right-to-work check](#)—will be required before the end of the year.

Repeat Right-to-Work Checks Not Required on Employees With Pre-Settled Status

A [2023 High Court judgment](#) covered issues relating to EU citizens who have applied for the EU Settlement Scheme for pre-settled status (when they have not yet lived in the UK for five years) or settled status (when they have been living in the UK for five years). The judgment established that, in accordance with the Withdrawal Agreement when the UK left the EU, pre-settled status holders do not lose their right to residency if they fail to make a settled status application before the expiration of their pre-settled status.

As a result of the judgment, the Home Office guidance on right-to-work checks was finally updated as follows:

- *No right-to-work expiration date for holders of pre-settled status.* Employees with pre-settled status are no longer considered to have an expiration date for their right to work.
- *No repeat right-to-work checks.* Employers do not need to carry out a repeat right-to-work check on employees with pre-settled status. This puts them in the same position as employees with settled status and means employers only need to check the employee's right to work once—before the employment starts.

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New Publications and Items of Interest

The Cornell International Law Journal will host "The (Im)possibility of Immigration Reform?," a symposium celebrating the career of [Stephen Yale-Loehr](#) and his contributions to the field of immigration law. The symposium will be held at Cornell Law School on November 8, 2024, from 9:30 a.m. to 4 p.m., followed by a reception. Register to attend the symposium [in person](#), or if you are unable to attend in person, there is a [webinar option](#).

Alliance of Business Immigration Lawyers:

- ABIL is available on X (formerly Twitter): [@ABILImmigration](#)
- Recent ABIL member blogs are at <http://www.abilblog.com/>

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ABIL Member/Firm News

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
Business Section Steering Committee: Dagmar Butte, June Cheng, Nam Douglass, Christian Park
Family Section Steering Committee: Jorge Gavilanes
Federal Court Litigation Steering Committee: Zachary New
Global Migration Section Steering Committee: William Hummel (Immediate Past Chair)
Ethics Committee: Oxana Bowman
Pro Bono Committee: Vikram Akula
Media Advocacy Committee: Elissa Taub
High Impact Adjudications Assistance Committee: Adam Cohen
Client Resources Committee: Meghan Moody
Innovation and Technology Committee: Hannah Little (Vice Chair), Vic Goel
Technology Advisory Group: Julie Pearl
Well-Being Committee: Jennifer Howard
Board Member Emeritus: Charles Foster
Annual Conference 2024 Planning Committee: Jason Susser
Mid-Winter Conference Planning Committee: Elissa Taub
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

Dagmar Butte was quoted by *Forbes* in [O-1A Visas, National Interest Waivers Rise After Immigration Guidance](#). She said she was not surprised that the approval rate for national interest waivers declined. "I think while the category has been broadened, *Matter of Dhanasar* still rules the day, so for me, every case has to pass that test before I'll file it." Ms. Butte referenced the Administrative Appeals Office decision [Matter of Dhanasar](#) (December 27, 2016), which established a three-factor test for national interest waivers.

Glasko Immigration Law Partners, LLP (KILP) is celebrating its [20th anniversary](#) since its formation as a firm in 2004. Since its inception, KILP has grown from four partners to nine, from 30 employees to more than 110, from offices in two cities to offices in three cities with employees in 19 states. Over the last 20 years, KILP attorneys and the firm have been recognized by various publications, such as *Chambers and Partners*, *U.S. News & World Report's* Best Lawyers in America®, Best Law Firms in America®, and Best Companies to Work For; *EB5 Investors* magazine; *Human Resources Executive* magazine; *Lawdragon*; and *Lexology*.

Clasko Immigration Law Partners, LLP, published a client alert, [What You Need to Know About President Biden's New Immigration Actions](#).

Clasko Immigration Law Partners, LLP, published a blog post: [Canada is Implementing New Immigration 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 and **Kaitlyn Box** co-authored a blog post: [SEC v. Jarkesy and Loper Bright v. Raimondo: How the Supreme Court's Dismantling of the Administrative State Impacts Immigration Law](#).

Mr. Mehta and **Jessica Paszko** authored a blog post: [Does the Signing of the I-485 Supplement J by a New Employer Constitute Visa Sponsorship?](#)

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

Mr. Mehta, **Stephen Yale-Loehr**, and several others co-authored a blog post, [Think Immigration: Chevron Is Dead! Thoughts on the Immigration Impact of Loper Bright Enterprises](#), for the American Immigration Lawyers Association.

Mr. 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 [Immigration Proponents Get Boost From End to Chevron Doctrine](#). 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 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, Mr. Yale-Loehr, and William 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.

Greg Siskind of **Siskind Susser PC** authored a [column on mastermind groups](#) that was published by the American Bar Association (available by registration).

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 IMMPC 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."

Jason Susser of **Siskind Susser PC** was quoted extensively by *Forbes* in [USCIS Seeks to Boost Immigration Policy for Entrepreneurs](#) (available via subscription). The article explains that Mr. Susser obtained approval for a client in the United States under the International Entrepreneur Rule, but the process took a long time, and the client returned to Canada and now runs a business there. "She was a graduate student and built a nice company. It took so long to get approved, and Canada has some major tax credits for startup [research and development] salaries that she told me she probably will not use the parole under the International Entrepreneur Rule after waiting two years and will remain in Canada." The article notes that Mr. Susser said his client raised more than \$1 million after completing her MBA at Stanford. Nine months passed after submitting the application before receiving a Request for Evidence from USCIS. "The first red flag was that the RFE came from the Immigrant Investor Program office, which are the officers who deal with EB-5 applications, and that program is notoriously slow. Then the RFE did not ask about the client but instead entirely focused on whether the U.S. investor is a 'qualified investor.' Even there, the big hang-up with the investor was not whether he had invested, but instead whether his investments in other companies had led to the required growth." He said, "They were asking for documents of the U.S. investor's other portfolio companies, which were unrelated to the case. Even though the investors we were working with were very supportive, they couldn't go to companies they have invested in and ask for their employees' I-9s, taxes and other private information to give to another company for an immigration case." The case was approved after about two years, the article notes, but by that time, the client had decided to remain in Canada.

Mr. Yale-Loehr was quoted by the *Boston Globe* in ['Czar' or Not, Harris Bungled Immigration](#). He said that "it's difficult to figure out what can be accomplished in a short period of time. I think she started the groundwork" to address the root causes of migration from Central America to the United States.

Mr. Yale-Loehr was quoted by the *Chicago Sun-Times* in [Immigration Advocates in Chicago "Disappointed and Angry" Over Lack of Reforms, Plan DNC Protests](#). "I think there will be a lively debate at the Democratic National Convention in Chicago about immigration," he said. "The Biden administration has done a lot, but really Congress needs to step up the plate to enact immigration reform to once and for all cure our broken immigration system."

Mr. Yale-Loehr was quoted by *Syracuse.com* in [Ecuadoran Accused of Killing Woman in Syracuse Was Waiting in U.S. for Immigration Hearing](#) (available by subscription). He discussed what happens when a person crosses the border, with the overarching question of whether a person will be released into the United States or sent back. He noted that those requesting asylum will be asked whether they have a credible fear of persecution in their home country. If the answer is yes and the person provides an answer that doesn't seem "frivolous," they are let go with a court date and can remain in the United States while their asylum application is pending. Later they need to appear in immigration court and

convince an immigration judge that their fear is based on one of the asylum grounds to remain in the United States, Mr. Yale-Loehr explained. In the case discussed in the article, the man accused of the murder, if convicted, is likely to serve a long sentence and be deported after completing it. "It's clear that now he has come to the attention of the immigration authorities. No matter what happens with the criminal trial, he's got immigration issues he's going to have to deal with."

Mr. Yale-Loehr was quoted by *Univision* in [The Debate on Biden and Trump Immigration Policies: Exaggerations and Lack of Proposals](#) (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 [Debate: Biden and Trump's Immigration Policies Clash on Everything and Agree on Nothing](#) (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 Ecuadorean 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."

WR Immigration published a blog post: [Corporate & Counsel Interlude: Employer Impact Statement on Parole and DACA/Dreamer Executive Order](#).

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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 Twitter: @ABILImmigration.

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